NEW YORK LEGAL ASSISTANCE GROUP

HOUSEHOLD SIZE FOR SSI-RELATED INDIVIDUALS
Aged (65 or over), or blind or disabled persons (all ages)

	Household size for **INCOME**	Household size for **RESOURCES**
a. Lives alone or with spouse who receives SSI	ONE	ONE
b. Lives with children but no spouse	ONE	ONE
c. Lives with aged, blind, or disabled spouse who is not on SSI - no children	TWO	TWO
d. Lives with spouse who is not aged, blind or disabled AND if there are no children under age 18	**ONE if** spouse's income is less than $384 (2016 figure)[i] Spouse's income is NOT counted	TWO
	TWO if spouse's income is more than $384 (2016). Spouse's income is counted.	TWO
e. Lives with spouse who is not aged, blind or disabled AND if there ARE children under age 18[ii]	**ONE** if spouse's income is less than the "allocation amount" ($384) for each child under 18, SIZE IS **ONE** Spouse's income is *not* counted.	TWO
	TWO if spouse's income is equal to or more than the "allocation amount" ($384) for spouse and each child under age 18. Spouse's income *is* counted in amount exceeding allocation amount for kids	
f. Child under 18	**ONE** but income and resources of parent(s) who live with child is deemed available using special rules	

Source: 18 NYCRR 360-4.2. All rules apply to disabled persons age 18 and over. Box "f" is for disabled children under age 18.

[i] This is the **"allocation amount**" in 2016. This amount is set aside from a non-SSI spouse for the needs of a non-SSI child under age 18 and for the needs of parents of SSI-related children. The allocation amount is the difference between the income level for 1 and 2, so that the allocation amount changes for every year that the Medicaid levels change. DOH announces the new figures in a GIS in December or January each year.

The 2016 allocation amount and the 2016 Medicaid levels were announced in GIS 15 MA/021: https://www.health.ny.gov/health_care/medicaid/publications/gis/15ma021.htm.
Check back at https://www.health.ny.gov/health_care/medicaid/publications/ for future changes.

[ii] This scheme was upheld. Glosenger v. Perales, 616 N.Y.2d 330 (N.Y. 1994); Marzec v. DeBuono, 95 N.Y.2d 262; 2000 N.Y. LEXIS 2913; 716 N.Y.S.2d 376 (Oct. 2000), *reversing* 697 N.Y.S.2d 788 (4th Dept. (1999)).