

**NORTH CAROLINA DIVISION OF SERVICES FOR THE BLIND
PROGRAMS AND FACILITIES SECTION
SPECIAL ASSISTANCE FOR THE BLIND PROGRAM**

Section:	Chapter 4
Title:	Eligibility Criteria (Vision, Age, Residency)
Revision History:	Revised 08/02

VISION

I. Visual Criteria for Special Assistance for the Blind

- A. For the purpose of determining eligibility for Special Assistance for the Blind, a person who has been examined by an ophthalmologist, an optometrist or a physician meets the visual criteria if:
1. He/she has no vision or the vision with glasses is so defective as to prevent the performance of ordinary activities requiring sight.
 2. He/she has central visual acuity of 20/200 or less in the better eye with correcting lens or a visual field limited to 20 degrees in the widest diameter.
 3. No report of an examination is required when both eyes of the applicant are missing. The Social Worker for the Blind's statement to this effect on the Determination of Eligibility Form will be sufficient.
- B. The eye report shall give information concerning the condition of the applicant/recipient's eyes such as diagnosis, etiology of eye condition, central visual acuity for distance and near in Snellen notation, with and without correction, description of peripheral visual field where indicated, prognosis, recommendations as to medical or surgical treatment of condition causing eye pathology, recommendations as to re-examination where the cause of visual impairment may be subject to change.
- C. The interval between eye examination and re-examination will vary, depending upon the nature of the eye condition and shall be determined on the basis of the advice of the examining eye doctor. Re-examination must be done if the recipient has had medical eye care which may have improved his/her vision.
- D. The eye report must be countersigned by the State Consulting Ophthalmologist. He/she is given the authority by the Division of Services for the Blind and charged with the responsibility of making the Agency's

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decision that the individual meets the visual criteria, for determining that adequate and accurate medical information is available to substantiate the decision, and for establishing a schedule of any necessary re-examinations. When questions arise about a change in the eye condition, the State Consulting Ophthalmologist is responsible for determining that the individual continues to meet the visual criteria.

AGE

Special Assistance for the Blind is available to any legally blind person who meets all of the eligibility criteria regardless of age. If the applicant/recipient is a child who needs residential care, this must be provided at one of the specialized community residential centers from birth through the person's eighteenth year of life. On the nineteenth birthday, the recipient may be eligible for SAB in an adult care home if he/she moves to such a facility.

If the a/r is an adult in an adult care home (domiciliary level of care), his/her statement of age will be accepted without question unless there is a reason to believe that the a/r has not reached his/her eighteenth birthday.

If there should be a need to verify the a/r's age, the following procedures should be followed:

I. VERIFICATION METHODS

- A. Verify a/r's age by Bendex or SDX listing.
- B. If a/r's age cannot be verified by Bendex or SDX listing and the a/r's statement of age is questionable, any one of the following sources can be used:
 - 1. Birth certificate issued by a governmental body, or
 - 2. Hospital records established at time of birth (including a hospital-issued birth certificate).
- C. If neither of the verification documents above are available and the a/r's statement of age is questionable, use any two of the following documents:
 - 1. Driver's license
 - 2. Marriage license
 - 3. Family Bible records
 - 4. Church documents such as baptismal or confirmation records
 - 5. Passport
 - 6. Military records

7. School records
8. Department or institution records
9. Court records, including adoption records
10. Immigration records
11. Naturalization records
12. U.S. census records
13. Witnessed statement from an individual having specific knowledge about the age of the a/r including:
 - a. The name of the child,
 - b. Date and place of birth,
 - c. Name of father,
 - d. Maiden name of mother,
 - e. Why the verification is needed,
 - f. A signed statement authorizing release of the information.

II. VERIFICATION SOURCES

A. Individuals born in NC:

1. NC Vital Records
1903 Mail Service Center
Raleigh, NC 27699-1903

OR

2. The County Health Department where the individual was born. For individuals born in other states, contact the state to determine what agency to contact for birth verification.

B. Verification of age of children born to U.S. citizens who were in overseas governmental services may be accomplished by contacting:

Authentication Officer
U.S. Department of State
Washington, D.C. 2052

The following information must be included with the request:

1. The name of child
2. Date and place of birth
3. Name of father
4. Maiden name of mother
5. Why the verification is needed
6. A signed statement authorizing release of the information

RESIDENCY

This section of Chapter 4 is broken into three distinct parts: U.S. citizenship requirements, N.C. residency requirements, and county residency requirements. An applicant/recipient of SAB must first meet the U.S. citizenship requirements, then the state residency requirements and finally meet the county residency requirements. If the person is a citizen of the U.S. and a resident of N.C., then he/she is obviously a resident of one of the counties of N.C. but a determination must be made as to which county is financially responsible for the county share of the SAB payment. Regulations about residency and special circumstances are detailed later in this chapter.

Children in Specialized Community Residential Centers

It should be noted that a child is always a resident of the State and County which is the legal residence of the parent(s) who have legal custody of the child. If the child is in the custody of a county department of social services, then that county will be the child's legal residence and thus financially responsible for the child. If the parent(s) with legal custody of the child move out of a county and the child remains in a specialized community residential center, the new county of residence of the parent(s) will be financially responsible for the child the month following a 90-day period of residency of the parent(s) in the new county. The original county of residence will be responsible during this 3 month time and will also continue to be responsible if the parent(s) move back into that original county during the 90-day period.

If the parent(s) who have retained custody of the child in a specialized community residential center move out of state, the parent(s) are given 90 days to make other arrangements for the child. The original county of residence would pay for this 90 day period.

The Age section of Chapter 4, page 14 should be reviewed because a child is eligible to receive SAB in a specialized community residential center only through his/her 18th birthday. When he/she becomes 19, he/she may be eligible for SAB in an adult care home if a move is made to one of these facilities and, of course, if he/she continues to meet all other SAB requirements.

RESIDENCY—CITIZENSHIP

The purpose of this section is to provide instructions for determining U.S. citizenship and immigration status of the Special Assistance for the Blind applicant.

To be eligible for SAB, an individual must be an U.S. citizen or an alien admitted to the United States by Immigration and Naturalization Services (INS) under a specific immigration status.

Regardless of immigration status, each a/r must meet all eligibility requirements for Special Assistance for the Blind.

Do not determine citizenship or immigration status for SAB applicants who receive Supplemental Security Income (SSI) or Medicaid (MA). Verification of citizenship or immigration status is verified prior to receipt of SSI.

It is the applicant's responsibility to provide verification of citizenship and/or immigration status; however, the caseworker should offer to assist the applicant in obtaining the required verification.

I. U.S. CITIZENSHIP

A. United States Citizen

1. Any person born in one of the 50 states, the District of Columbia, Puerto Rico, Guam, Virgin Islands, Northern Mariana Islands, American Samoa, Swain's Islands, or
2. Any person born outside the U.S. to a U.S. citizen (INS will issue Certificate of Citizenship), or
3. A person born outside the U.S. who has been approved by INS as a naturalized citizen.

B. Procedures to Verify and Document Citizenship

1. Request the a/r's verbal statement of citizenship.
2. Accept the a/r's signature on the application as verification of citizenship, unless questionable.
3. If questionable, use one of the following documents for verification of citizenship:
 - a. Birth Certificate
 - b. U.S. Passport
 - c. Report of birth abroad of a citizen of the US (INS Form FS-240)
 - d. Certificate of birth (INS Form FS-545)
 - e. Naturalization Certificate (INS Form N-550 or N-570)
 - f. Certificate of Citizenship (INS Form N-560 or N-600)
 - g. Hospital record of birth created at the time of birth

- h. Religious record of birth, such as baptismal record, recorded in the U.S. within 3 months of birth. The document must show the date of birth or the age at the time the record was made.
 - i. Social Security Administration Records
 - j. North Mariana Identification Card (issued by the INS to a naturalized citizen of the U.S. born in the Northern Mariana Islands before November 3, 1986; **or**
 - k. Statement provided by a U.S. consular officer certifying that the individual is a U.S. citizen who does have a FS-240, FS-545, of DS-1350; **or**
 - l. American Indian Card with a classification code of "KIC" and a statement on the back (identifying U.S. citizen members of the Texas Band of Kickapoos living near the U.S./Mexican border).
4. Make a copy of the verification document(s) and file to the a/r's permanent document section.
 5. Once citizenship has been verified, do not re-verify unless there is information showing a change or the previous verification is questionable.

C. Procedure When No Verification of Citizenship is Provided

1. If the applicant cannot provide verification of citizenship, request documentation verifying his/her alien status.
2. If no documentation is available, refer the applicant to the local Immigration and Naturalization Service (INS) at:

Immigration and Naturalization Services
 6 Woodlawn Green, Suite 138
 Charlotte, NC 28217
 Telephone: (800) 375-5283

3. Treat this individual as an ineligible alien until verification is provided.

II. NON-CITIZENS

A. Overview

Individuals who live in the U.S. but are not citizens are aliens. Coverage for Special Assistance for the Blind is based on their immigration status with INS and the date they are admitted by INS under that status. A non-qualified alien is not eligible for Special Assistance for the Blind.

This section defines qualified aliens and non-qualified aliens, when they

are eligible for SAB based on the date admitted, INS documentation of alien status, and procedures to establish status.

B. Qualified Aliens

The two main categories of immigrants established by INS that are considered qualified aliens are described below. They each have a different disqualification period based on the immigrant's status at the time he/she was admitted to the U.S. by INS.

The qualified aliens described below are the only aliens eligible for SAB. (This list is all-inclusive) Refer to page 27 and 28, Figure 1 for verification documents.

1. Lawful Permanent Resident (LPR)

a. Definition

An LPR is an alien who is legally admitted to the U.S. by the INS to live and work on a permanent basis. An LPR is often referred to as a "resident alien." INS issues each LPR an I-551. This is known as a "green card", even though it is not green. Aliens recently admitted to the U.S. as a LPR, or who have applied for a replacement I-551 may only have the I-94 with a temporary I-551 stamp.

b. Five Year Disqualification Period of LPRs

LPRs admitted to the U.S. on or after August 1, 1996, are not eligible for SAB for 5 years from the date they are admitted to the U.S. as an LPR. This is a mandatory 5-year disqualification period. After the 5-year disqualification period has expired, LPRs meet immigration eligibility requirements for Special Assistance for the Blind.

- (1) For example, an immigrant admitted as an LPR by INS in January 1997 is ineligible for SAB until January 2002.
- (2) The 5-year disqualification period does NOT apply to an LPR:
 - (a) Admitted to the U.S. as an LPR prior to August 1, 1996, or
 - (b) Who adjusts his/her status to U.S. citizen during the 5 year disqualification period, or
 - (c) Who is an honorably discharged U.S. veteran or active duty military or to his/her spouse and dependent child under 21, or

- (d) Originally admitted by INS to the U.S. under a political designation who has adjusted to the LPR status within the first 5 years. Refer to II.B.2a below, or
- (e) An American Indian born in Canada to whom the provisions of section 289 of the INA apply, or who is member of an Indian tribe as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act.

2. Aliens Admitted Under a Specific Political Status

a. Definition

Aliens can be legally admitted to the U.S. by the INS as a type of refugee for many different political reasons. For example, an individual may be admitted to the U.S. because he/she is fleeing persecution in his/her own country, or INS determines it is in the public interest. Aliens admitted by the INS under a specific section of the Immigration and Nationality Act (INA) identified below are considered qualified aliens (This list is all inclusive):

- (1) A refugee admitted under section 207 of the Immigration and Nationality Act (INA), or
- (2) An asylee admitted under section 208 of the INA, or
- (3) A refugee whose deportation is withheld under section 243(h) of the INA, or
- (4) An alien paroled under section 212(d)(5) of the INA for at least 1 year, or
- (5) An alien granted conditional entry under section 203(a)(7) of the INA in effect prior to April 1, 1980, or
- (6) An alien granted status as a Cuban/Haitian entrant as defined in section 501(e) of the Refugee Education Assistance Act of 1980, or
- (7) An Amerasian immigrant admitted pursuant to Section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988.

b. Seven Year Limitation Period for Aliens Admitted Under a Political Designation

- (1) Aliens admitted to the U.S. under one of the political designations listed above are potentially eligible for SAB for 7 years from the date they are admitted to the U.S. under that status. This is a 7-year period of potential SAB eligibility. (This is just the opposite of aliens admitted, as LPR's who are ineligible for SAB for the first 5 years). After the 7-year period has expired, the alien is ineligible for SAB if his/her status

remains the same. If the alien has adjusted his/her status after the 7-year period, determine eligibility for these individuals under the current status.

- (2) Political admissions can adjust their status to LPR within the 7-year period. However, he/she remains potentially eligible for SAB for 7 years from the date he/she was admitted as a refugee/asylee, etc. For example, an individual is admitted as a refugee in January 1997. He adjusts his status to LPR in 1998. Regardless, he remains potentially eligible for SAB based on being admitted as a refugee/asylee through December 31, 2003.
- (3) The 7-year period of eligibility does not apply to honorably discharged U.S. veteran or active duty military and his/her spouse or dependent child under

C. Procedures to Verify and Document Qualified Alien Status

Verification of qualified alien status is a two-step process. First, verify the date the alien was admitted to the U.S. and the status under which the SAB applicant was admitted. Secondly, based on the date of admission determine whether the 5 year disqualification period or 7 year optional eligibility period applies.

1. Request the alien's original INS documents:
 - a. If the documents verify that the SAB applicant is a qualified alien as defined above, continue with these procedures. Document the status under which the SAB applicant was admitted.
 - b. If the applicant is not a "qualified alien," he/she is not eligible for SAB. The application must be denied.
 - c. If the SAB applicant's status cannot be verified because the documents are not readily available or are incomplete, refer the applicant to INS.
2. Write the applicant's current immigration status on the SAB application. Explain that by signing an SAB application, the applicant is certifying his/her immigration status.
3. Document the date the applicant was admitted to the U.S.
4. Determine whether the 5-year disqualification period OR the 7-year period of potential SAB eligibility applies:

- a. If the applicant's current status is LPR, determine whether the 5-year disqualification period applies based on the SAB applicant's admission date. (Note that this does not apply to LPR's who were admitted as LPR's prior to August 1, 1996, or veterans/active duty military and spouse/unmarried dependents, or LPRs originally admitted under a political designation, as described in this procedure.
 - b. If the applicant's status is one of the political designations defined above, determine whether the 7-year period of SAB eligibility applies.
 - c. If the applicant's current status is LPR, but he/she claims he/she was a political admission within the past 7 years, he/she remains potentially eligible for 7 years from the date he/she was admitted. This is verified when the I-551 indicates a code of RE-6, RE-7, RE-8, or RE-9.
 - d. Document the date the 5-year disqualification period or 7-year eligibility period expires at each application and redetermination. The SAB case should be flagged as to when the 5-year disqualification period or 7-year eligibility expires.
5. Verify the authenticity of the alien document, and the date of admission using SAVE, System Alien Verification for Entitlement Program. Refer to the SAVE and G-845 forms. Refer to Figures 2 and 3.
 6. File a copy of the INS documentation in the applicant's record.
 7. Re-verify alien status when the alien status is subject to change.

DOCUMENTS USED TO VERIFY IMMIGRATION STATUS

IMMIGRATION STATUS	VERIFICATION DOCUMENT
LPR	<ul style="list-style-type: none"> • I-551 (referred to as “green card”), or • I-94 annotated with a temporary I-155 stamp (for recent arrivals or aliens who have applied for a replacement I-155)
REFUGEE	<ul style="list-style-type: none"> • I-94 stamped showing admission under section 207 of the INA and date of entry to the U.S., or • I-688B annotated 274a.12(a)(3), or • I-766 annotated “A3”, or, • I-571 • (Refugees usually adjust to LPR status after 12 months in the U.S. However, they are still considered refugees for eligibility purposes when they have a I-551 with a code of RE-6, RE-7, RE-8, or RE-9.)
ASYLEE	<ul style="list-style-type: none"> • I-94 stamped showing admission under section 208 and date of entry, or • A grant letter from the Asylum Office of the INS, or • I-688B annotated “274a.12(a)(5)”, or • I-766 annotated “A5”, or • Court order of an immigration judge showing asylum granted under section 208.
DEPORTATION WITHHELD	<ul style="list-style-type: none"> • Order of an immigration judge showing deportation withheld under section 243(h) and date of grant, or • I-688 annotated 274a.12(a)(10), or • I-766 annotated “A 10”.
PAROLEE	<ul style="list-style-type: none"> • I-94 annotated with stamps showing grant of parole under 212(d)(5) and a date showing granting of parole for at least 1 year.
CONDITIONAL ENTRANT	<ul style="list-style-type: none"> • I-94 with a stamp showing admission under 203(a)(7), refugee-conditional entry, or • I-688B annotated 274a.12(a)(3), or I-766 annotated “A3”.

Figure 1

IMMIGRATION STATUS	VERIFICATION DOCUMENT
ACTIVE DUTY MILITARY	<ul style="list-style-type: none"> • Green Form DD-2 marked “ACTIVE”, or • Current orders showing the individual is on full-time duty in the US Army, Navy, Air Force, Marine Corps, or Coast Guard. (Reserves are not considered active duty.)
U.S. VETERAN	<ul style="list-style-type: none"> • DD-214 indicating honorable discharge, or • Discharge papers indicating honorable discharge* <p>*Cannot be discharged due to alien status</p>

Figure 1

SAVE AUTHORIZATION ACCESS CODES OF MEDICAID-ONLY CASES

COUNTY	ACCESS CODE	COUNTY	ACCESS CODE
Alamance	*42*61*62*230001	Franklin	*42*61*62*230035
Alexander	*42*61*62*230002	Gaston	*42*61*62*230036
Alleghany	*42*61*62*230003	Gates	*42*61*62*230037
Anson	*42*61*62*230004	Graham	*42*61*62*230038
Ashe	*42*61*62*230005	Granville	*42*61*62*230039
Avery	*42*61*62*230006	Greene	*42*61*62*230040
Beaufort	*42*61*62*230007	Guilford	*42*61*62*230041
Bertie	*42*61*62*230008	Halifax	*42*61*62*230042
Bladen	*42*61*62*230009	Harnett	*42*61*62*230043
Brunswick	*42*61*62*230010	Haywood	*42*61*62*230044
Buncombe	*42*61*62*230011	Henderson	*42*61*62*230045
Burke	*42*61*62*230012	Hertford	*42*61*62*230046
Cabarrus	*42*61*62*230013	Hoke	*42*61*62*230047
Caldwell	*42*61*62*230014	Hyde	*42*61*62*230048
Camden	*42*61*62*230015	Iredell	*42*61*62*230049
Carteret	*42*61*62*230016	Jackson	*42*61*62*230050
Caswell	*42*61*62*230017	Johnston	42*61*62*230051
Catawba	*42*61*62*230018	Jones	42*61*62*230052
Chatham	*42*61*62*230019	Lee	42*61*62*230053
Cherokee	*42*61*62*230020	Lenoir	42*61*62*230054
Chowan	*42*61*62*230021	Lincoln	42*61*62*230055
Clay	*42*61*62*230022	Macon	42*61*62*230056
Cleveland	*42*61*62*230023	Madison	42*61*62*230057
Columbus	*42*61*62*230024	Martin	42*61*62*230058
Craven	*42*61*62*230025	McDowell	42*61*62*230059
Cumberland	*42*61*62*230026	Mecklenburg	42*61*62*230060
Currituck	*42*61*62*230027	Mitchell	42*61*62*230061
Dare	*42*61*62*230028	Montgomery	42*61*62*230062
Davidson	*42*61*62*230029	Moore	42*61*62*230063
Davie	*42*61*62*230030	Nash	42*61*62*230064
Duplin	*42*61*62*230031	New Hanover	42*61*62*230065
Durham	*42*61*62*230032	Northampton	42*61*62*230066
Edgecombe	*42*61*62*230033	Onslow	42*61*62*230067
Forsyth	*42*61*62*230034	Orange	42*61*62*230068

Figure 2

SAVE AUTHORIZATION ACCESS CODES OF MEDICAID-ONLY CASES

COUNTY	ACCESS CODE	COUNTY	ACCESS CODE
Pamlico	42*61*62*230069	Stokes	42*61*62*230085
Pasquotank	42*61*62*230070	Surry	42*61*62*230086
Pender	42*61*62*230071	Swain	42*61*62*230087
Perquimans	42*61*62*230072	Transylvania	42*61*62*230088
Person	42*61*62*230073	Tyrrell	42*61*62*230089
Pitt	42*61*62*230074	Union	42*61*62*230090
Polk	42*61*62*230075	Vance	42*61*62*230091
Randolph	42*61*62*230076	Wake	42*61*62*230092
Richmond	42*61*62*230077	Warren	42*61*62*230093
Robeson	42*61*62*230078	Washington	42*61*62*230094
Rockingham	42*61*62*230079	Watauga	42*61*62*230095
Rowan	42*61*62*230080	Wayne	42*61*62*230096
Rutherford	42*61*62*230081	Wilkes	42*61*62*230097
Sampson	42*61*62*230082	Wilson	42*61*62*230098
Scotland	42*61*62*230083	Yadkin	42*61*62*230099
Stanley	42*61*62*230084	Yancey	42*61*62*230100

Figure 2

SAVE – ASVI VERIFICATION FORM

1. To access SAVE, call 1-800-365-7620
2. Key in the county's unique Medicaid access code:*42*61*62*230_ _ _ _
3. Key in the alien's A-Number, substituting a "0" for the leading "A".
4. Compare the date on the INS document to the ASVI data.
5. If record found, document match below.
6. If record found, but discrepancies between records: Document discrepancies found. Date G-845 sent to INS: _____
7. If no record found or instruction to institute secondary verification: Date G-845 sent to INS: _____

PRESS 1 TO REPEAT THIS INFORMATION.
 PRESS 2 FOR ANOTHER QUERY
 PRESS 3 TO END THIS CALL

	Information Appearing on INS Document #	ASVI Verification—Match of INS Document or Discrepancy	
		Match	Discrepancy
THE ALIEN REGISTRATION # IS:			
THE VERIFICATION * IS:			
THE LAST NAME IS SPELLED:			
THE FIRST NAME IS SPELLED:			
THE BIRTHDATE IS:			
THE STATUS CODE IS:			
THE EMPLOYMENT ELIGIBILITY IS:			
THE COUNTRY OF BIRTH CODE IS:			
THE ALTERNATE ID # IS:			
THE DATE OF ENTRY IS:			

Worker _____
 Title _____ Date _____

Attach copy of INS Document
 File in SAB Case Record

Figure 3

RESIDENCY—NORTH CAROLINA

A person is a resident of North Carolina if he/she is living in the State voluntarily with the intention of making his/her home in the State and not only for a temporary purpose.

An individual visiting in the State without a stated intent to remain is not considered a North Carolina resident. The individual is not eligible for SAB until the a/r has lived in the State for 90 days, with the intent to remain.

I. MOVING INTO OR VISITING NORTH CAROLINA

A. When an individual moves into North Carolina and states his intent to remain, a written statement of intent must be obtained.

1. "I, _____, am living in North Carolina and plan to remain in this State."
2. " _____ " for whom I, _____, am authorized representative, is living in North Carolina and plans to remain in this State.

NOTE: An applicant cannot declare intent to remain in North Carolina and also sign an intent to return home in order to exclude their home site in another State. Refer to page 34 and 36 for information on intent to return.

B. If the applicant's statement of residency is questionable, obtain one of the following documents for verification:

1. Post-marked letters
2. Public utilities records or credit accounts
3. Voter registration records
4. Rental records
5. Real property ownership
6. Employment records
7. Other documentary evidence presented by the applicant (Example: whether or not applicant has all their belongings in this residence)

C. If the applicant applies before the 90-day requirement is met, the a/r is not eligible for SAB. Deny the application and document in the eligibility record the date the applicant moved to North Carolina (with the intent to remain) and when the 90th day of State residency will be met.

NOTE: Do not deny an application if the residency requirement will be met

during the application processing time frame, if all other eligibility criteria are met. Payment cannot be authorized prior to the applicant meeting residency requirements.

- D. If an applicant applies on or after the 90th day of State residency, the a/r is eligible for SAB effective the day all other eligibility requirements are met. If the 90th day falls after the first day of the month, authorize a partial payment for that month, prorated from the 90th day of State residency, even if the applicant was in an ACH on the first day of that month. A Special Assistance for the Blind payment cannot be made for any days in an ACH during the waiting period. The effective date for retroactive payments cannot be earlier than the 90th day of residency in the State. As always, when computing a partial payment, include the full personal needs allowance, but do not show income for that month.
- E. Ask the a/r when he/she voluntarily moved and decided to remain in North Carolina to determine the 90th day of residency. Beginning with, and including the date of intent to remain, count forward 90 days (or add 89 days to the date of intent to remain). Payment may begin effective the 90th day, if all other eligibility criteria have been met.

Example: (assuming applicant meets all other eligibility requirements)

Date applicant moved to NC with intent to remain:	7/01/01
Date admitted to adult care home:	7/01/01
90 th day of NC residency:	9/28/01
Date of Application:	9/28/01
Effective date of first SAB Payment:	9/28/01

II. Moving Out of North Carolina

A. Permanent Move From N.C.

1. The recipient must be given written notice of the date of the last SAB check he/she will receive from N.C.
2. An applicant must be notified that his/her application is being denied because he/she has moved to another State.

B. Temporary Absence

1. A recipient of SAB will remain eligible for assistance if he/she will be absent from the State temporarily.
2. Temporary absence with subsequent return or intent to return when the purposes for the absence have been accomplished does not interrupt residence.

3. If the recipient's temporary absence from the State exceeds 3 months, the case shall be terminated and eligibility will have to be re-established when he/she returns to the State.

RESIDENCY—COUNTY

An individual has residence in the county in which he/she resides. However, if the a/r is in a hospital, mental institution, intermediate care facility, skilled nursing home, boarding home, adult care home, confinement center or similar facility, the county in which the facility is located is not necessarily his/her legal residence. The county of legal residence would be the county in which the individual maintained or intended to establish private living arrangement prior to entering a facility.

I. Exceptions to County Residence Rule

- A. A woman in an Adult Care Home has the county residence of her husband, unless they are legally divorced. A man in an ACH has the county residence of the county where he last lived in a private living arrangement.
- B. A disabled adult child (DAC) in a facility is a resident of the county and state in which the DAC's parent(s) had residence immediately prior to the DAC reaching age 18.
- C. If the applicant IS NOT a resident of the county in which the a/r is currently applying for SAB and has no intent to remain in that county, determine county financial responsibility.
 1. The county in which the applicant last resided in a private living arrangement is the county of residence. Document applicant's previous private living arrangement.
 2. If the applicant's county of residence cannot be established:
 - a. The county of residence is the county in which a/r is currently applying for SAB.
 - b. If the applicant resides in a facility at the time of application, the county of residence is the county in which the ACH is located.
- D. If the applicant states an intent to return home, thereby excluding the real property homesite, the county of residence must be the county where the property is located.

II. Effects of Moving on County Residency Rule

- A. When a recipient of SAB moves from one county to another county, state law provides that the county to which a recipient moves must make payment to an eligible recipient beginning with the next pay period after the he/she has resided in the second county continuously for 90 days. The county from which the recipient moves shall continue to make payment to the recipient during this 90 day period.
1. If the recipient moves for purposes of training, rest home or other group care, it will not be considered a change of residence from the first county.
 2. Moving from one county to another one constitutes a change in condition and eligibility must be redetermined within 30 days.
- B. If the recipient moves back to the first county during the 90 day period, the county share of the SAB payment will remain the responsibility of the first county.
- C. In the event a recipient moves from one county to another, remains in the second county less than 90 days, then moves to a third county, the first county will continue to be financially responsible for the county share of the SAB payments until the recipient has resided continuously in the third county for 90 days and if eligibility for assistance continues.
- D. A SAB recipient placed in an educational or training situation in another county will continue to receive assistance, if eligibility continues, from the county responsible for the payment at the time of placement. If the recipient does not return to his/her home county after the end of the training, transfer procedures will be initiated at the end of the training period.
- E. Once the SAB Eligibility Specialist is notified of the recipient's transfer of residence, a Determination of Eligibility DSB-7204 form is sent to the recipient. A letter is sent to the second county informing them of the recipient's move, the date of his/her 90th continuous day in the second county and requesting that the second county accept financial responsibility on the 91st continuous day of residence.