

**THE SOCIAL WELFARE ACT (EXCERPT)**  
**Act 280 of 1939**

**400.107 Medically indigent; financial eligibility; income.**

Sec. 107.

(1) In establishing financial eligibility for the medically indigent, income shall be disregarded in accordance with standards established for the related categorical assistance program. For medical assistance only, income shall include the amount of contribution that an estranged spouse or parent for a minor child is making to the applicant according to the standards of the department of community health, or according to a court determination, if there is a court determination. Nothing in this section eliminates the responsibility of support established in section 76 for cash assistance received under this act.

(2) The department of community health shall apply a modified adjusted gross income methodology in determining if an individual's annual income level is below 133% of the federal poverty guidelines.

**History:** Add. 1966, Act 321, Eff. Oct. 1, 1966 ;-- Am. 1967, Act 289, Imd. Eff. Aug. 1, 1967 ;-- Am. 2006, Act 144, Imd. Eff. May 22, 2006 ;-- Am. 2013, Act 107, Eff. Mar. 14, 2014

**Compiler's Notes:** Enacting section 1 of Act 107 of 2013 provides: "Enacting section 1. This amendatory act does not do either of the following: "(a) Authorize the establishment or operation of a state-created American health benefit exchange in this state related to the patient protection and affordable care act, Public Law 111-148, as amended by the federal health care and education reconciliation act of 2010, Public Law 111-152." (b) Convey any additional statutory, administrative, rule-making, or other power to this state or an agency of this state that did not exist before the effective date of the amendatory act that added section 105d to the social welfare act, 1939 PA 280, MCL 400.105d, that would authorize, establish, or operate a state-created American health benefit exchange."

**Popular Name:** Act 280