MEDICAID COMMUNICATION NO. 09-02
DATE: January 22, 2009

TO: County Welfare Agency Directors
Institutional Services Section (ISS) Area Supervisors
Statewide Eligibility Determination Agency

SUBJECT: Adjustment to Spousal Impoverishment Resource Eligibility Figures

The Centers for Medicare & Medicaid Services (CMS) have advised this Agency of the new resource figures to be used in determining resource eligibility of an institutionalized adult when he or she has a spouse in the community. These new amounts will be effective January 1, 2009.

The new minimum community spouse's share of resources is $21,912.00, and the maximum is $109,560.00, increasing from $20,880.00 and $104,400.00, respectively. As you are aware, these new figures are to be used, beginning with the month of January, 2009, in the determination of the community spouse's share and resource eligibility for all institutional cases when there is a community spouse. The new amounts apply to any case which has not yet been determined eligible, regardless of the date of application. The new figures apply even if the community spouse's share had been determined in a previous resource assessment.

Example: Mr. Smith entered a long term care facility on October 15, 2008. He and his wife had combined resources of $300,000. The community spouse's share of the resources would have been established at $104,400.00 at the time of the resource assessment. Because the Smiths' resources still exceeded $106,400.00 (the community spouse's share plus the $2,000.00 resource limit), Mr. Smith had not yet attained Medicaid eligibility.
Beginning January 1, 2009, the community spouse’s share in this case increased to $109,560.00. Resource eligibility will exist once the Smiths’ countable resources are equal to or less than $111,560.00.

If you have any questions regarding this information, please refer them to the field services staff assigned to your county.

Sincerely,

John R. Guhl
Director

JRG:F

c: Jennifer Velez, Commissioner
   Department of Human Services

   William Ditto, Executive Director
   Division of Disability Services

   Kevin Martone, Assistant Commissioner
   Division of Mental Health Services

   Jeanette Page-Hawkins, Director
   Division of Family Development

   Kenneth W. Ritchey, Assistant Commissioner
   Division of Developmental Disabilities

   Christine Moses, Director
   Division of Youth and Family Services
   Department of Children and Families

   Heather Howard, J.D., Commissioner
   Kathleen M. Mason, Assistant Commissioner
   Department of Health and Senior Services