

# ALTCS Policies on Community Spouse

When a person who applies for ALTCS has a legally married spouse who is living at home or anywhere other than a medical facility, we use special rules (Community Spouse rules) that allow that spouse to keep some of the couple's resources for the spouse's needs. Other rules may allow the spouse to receive part of the applicant spouse's income. We call the spouse of the applicant the community spouse.

## **How Much of the Couple's Countable Resources Does the Community Spouse Get to Keep?**

The resource limit for the ALTCS program is \$2,000. When we use Community Spouse rules, a portion of the couple's resources can be set aside for the needs of the community spouse and is not counted towards this limit. The amount of resources that can be kept by the community spouse is called the Community Spouse Resource Deduction (CSRD). Your personal CSRD will be calculated by an ALTCS Eligibility Specialist when a Resource Assessment is completed.

Countable resources include such things as:

- cash,
- checking and savings account balances,
- stocks,
- bonds,
- certificates of deposit,
- treasury bills, and
- real property (other than your home).

Resources that are not counted include:

- your home property (unless held in a trust),
- one vehicle,
- burial plots,
- irrevocable burial plans, and
- household goods and personal effects.

## **How is the CSRD Calculated?**

- **First**, we total up all of the countable resources owned by both spouses (singly or jointly) as of the first month one spouse was "institutionalized" (was in a medical facility for 30 consecutive days or more or received paid home and community based services such as attendant care, which includes services like hands on assistance with activities of daily living, (i.e., mobility, transfer, toileting).
- **Second**, we divide the countable resources owned by both spouses in half to determine the "spousal share".
- **Third**, the "spousal share" is compared to the minimum and the maximum CSRD amount.
  - If the "spousal share" is less than \$21,912 (effective January 2009), the CSRD amount will be \$21,912.
  - If the "spousal share" is more than \$109,560 (effective January 2009), the CSRD amount will be \$109,560
  - If the "spousal share" is more than \$21,912 and less than \$109,560 the amount that was calculated as the "spousal share" will be your CSRD.

## **How are Resources Calculated at the Time of ALTCS Application?**

- **First**, we total up all of the countable resources owned by both spouses as of the application month.
- **Second**, we subtract the CSRD amount from the total countable resources.
- **Third**, we compare the remaining amount to the \$2,000 ALTCS resource limit. The remaining amount must be less than or equal to the ALTCS resource limit for the applicant to be eligible.

## **How are Resources Calculated After ALTCS Approval?**

After the first twelve months of eligibility, all resources owned by the ALTCS member must be less than or equal to the \$2,000 resource limit. Therefore, countable resources that are in the member's name that are more than the limit must be transferred to the spouse during the 12 month period.

WARNING: if you transfer resources to anyone other than your spouse, you may be ineligible for long term care for a period of time.

## **How is Income Eligibility Determined?**

When we use Community Spouse rules, income that is counted toward the \$2,022 income limit (effective January 2009) may be counted in either of two ways:

- **First**, the countable income of both spouses is added together and then divided by two (2). We compare that amount to the \$2,022 monthly income limit.
- **Second**, if one half of the couple's combined income exceeds the limit, only the applicant's income is compared to the income limit.

If income still exceeds the limit, eligibility may still be established by setting up an Income Only (Miller) trust.

## **How Much of the Applicant's Income Does the Community Spouse Get to Keep?**

A spouse is allowed a minimum monthly need of \$1,750 (effective 7/1/08). An additional amount can be added if actual shelter costs are more than that amount. If the community spouse's income is less than the total amount, then the spouse can keep some of the applicant's income.

Please contact your local ALTCS office for additional information.