

## Information About Medicaid

Effective January 1, 2010:

### *Monthly Income and Resources Chronic Care Benefits*

<b>Individual</b>	<b>Income</b> <b>\$50.00</b>	<b>Resource</b> <b>\$13,800.00</b>
<b>Community Spouse</b> <b>Minimum Monthly</b> <b>Maintenance</b> <b>Needs Allowance</b>	<b>\$2,739.00</b>	
<b>Community Spouse</b> <b>Resource Allowance</b>		<b>\$74,820-</b> <b>\$109,560.00</b>
<b>Family Member Allowance</b>	<b>\$608.00</b>	

\*If the institutionalized spouse is receiving Medicaid, any change in income of the institutionalized spouse, the community spouse, and/or family member may affect the community spouse income allowance and/or the family allowance. Therefore, the social services district should be promptly notified of any income changes.

### ***Contribution from Community Spouse***

This will be based on 25% of the amount of his/her otherwise available income that exceeds the minimum monthly maintenance needs allowance plus any family member allowance(s).

### **The Deficit Reduction Act of 2005**

The transfer of a Medicaid applicant's assets, such as by making gifts, can adversely impact Medicaid eligibility. If assets are given away, regardless of the reason, the gift may create a penalty period during which time the applicant can be denied Medicaid coverage. The Deficit Reduction Act of 2005, adopted by Congress on February 8, 2006, gives New York State the right to consider any transfers made within 60 months of an application for Medicaid support as potentially creating such a penalty. (Transfers made prior to February 8, 2006 are grand-fathered in under the previous 36 month look back period.) While a transfer may have been a lawful gift at the time that it was given, it can still result in a penalty under Medicaid rules, all to the detriment of the nursing home resident.

If you have questions, you are encouraged to discuss your particular situation with an attorney knowledgeable in elder law.