
INSTITUTIONALIZATION

MEDICAID INCOME COMPUTATION

**F. CS MONTHLY
MAINTENANCE
NEEDS
ALLOWANCE
(MMNA)**

A Monthly Maintenance Needs Allowance (MMNA) is calculated for a CS provided:

- The Institutionalized Spouse (IS) and the Community Spouse (CS) are legally married under State law; and,
- The MMNA is actually made available to or for the benefit of the CS and this can be documented, and,
- The CS remains in a private living arrangement and remains married to the IS. The MMNA ends the month after a CS enters an institution or is no longer a CS through death or divorce.

If the IS refuses to make the MMNA available to his/her CS, discontinue the MMNA in the current month.

The Maximum MMNA Allowed By Federal Law Is the need standard used to calculate the MMNA for the CS. The MMNA standard applicable is the maximum in effect in the budget month. The "Community Spouse Monthly Maintenance" limits in effect since 10-01-89 are located in the Appendix, Page 1.

The MMNA is reduced by:

- the CS' own income. Use "gross" income of the CS, whether earned or unearned, to determine the MMNA. Infrequent or varying monthly income of the CS is averaged to obtain the CS' monthly income amount.
- the income limit for a long term care recipient, i.e., the federal maximum
- the PNA of the IS which must be deducted from the income of the IS first before a CS allowance can be deducted.

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**1. CS is
Medicaid
Eligible
At-Home**

A CS that is Medicaid eligible may have his/her SSI or Medicaid eligibility affected as a result of the MMNA received from an IS. If the CS would rather retain or gain Medicaid eligibility at-home (either as SSI or MAO), he/she can refuse the MMNA or refuse only that amount that would result in Medicaid termination for the CS.

If the CS opts to retain Medicaid eligibility by refusing a portion of the MMNA from the IS, obtain a written statement to this effect from the CS or his/her representative. The IS Medicaid Income would then be reworked to include the amount refused back into the Medicaid Income computation.

**2. IS Receives
VAIP**

Veterans are required to apply for VA Improved Pension (VAIP), which may include payment for unreimbursed medical expenses (UME) and Aid & Attendance (A & A). UME & A & A is not countable income to the IS; however, if the CS receives this income from the IS it is not disregarded as income to the CS.

When VA payments for UME and A & A are made available to the veteran's CS, this money is counted as income in determining the CS' eligibility for Medicaid along with any other income received by the CS including the CS MMNA computed.

Whatever amount of income the CS of a veteran gets as a CS MMNA, it must be reported to the VA via DOM-318, Exchange of Information Form.

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**3. CS Enrolled
in HCBS
Waiver for
Elderly &
Disabled**

If a CS is an SSI eligible enrolled in the HCBS Waiver Program, the CS should be cautioned not to accept a CS MMNA that would affect his/her entitlement to SSI. Since the HCBS Waiver Program is limited to enrollment of only SSI recipients and these participants receive additional waived Medicaid services, it would not be beneficial to a CS to jeopardize his/her SSI entitlement.

Effective 07-01-2000, beneficiaries of the Elderly and Disabled Waiver can have income up to 300% of the SSI Federal Benefit Rate, which is the institutional income limit. As a result, the CS can accept more of the CS MMNA and remain eligible for Medicaid. A change in coverage groups might be necessary.

**4. CS Receives
SSI or AFDC**

Any income received by a CS in the form of an MMNA must be reported to SSA if the CS receives SSI or to DHS if the CS receives AFDC or AFDC-related Medicaid. Use Form DOM-318 to report the CS MMNA.

**5. Notice
Requirement
for IS/CS**

The Regional Office must provide written notice to both spouses (or their representatives) advising them of the CS allocation amount and the IS Medicaid Income. This can be accomplished by use of the Notice of Action or Notice of Adverse Action, whichever is appropriate for the situation. The nursing facility must also be notified of the CS MMNA amount via DOM-317.

Either spouse has the right to appeal the calculation of income and/or the determination of ownership and availability of income.