



**Commonwealth of Massachusetts**  
**Executive Office of Health and Human Services**  
**Division of Medical Assistance**  
600 Washington Street  
Boston, MA 02111

MassHealth  
Eligibility Letter 111  
October 1, 2003

**TO:** Division Staff

**FROM:** Beth Waldman, Acting Commissioner *Beth Waldman*

**RE: Increase in Standard Deduction for Utility Expenses**

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This eligibility letter transmits an increase in the standard deductions for heating and nonheating utility expenses under the Food Stamp Program. These two amounts are used in the calculation of the minimum monthly maintenance needs allowance (MMMNA).

This regulation change is effective as an emergency on October 1, 2003.

#### MANUAL UPKEEP

**Insert**

520.026 (1 of 5)

**Remove**

520.026 (1 of 5)

**Trans. By**

E.L. 107

**Trans. by E.L. 111****MASSHEALTH  
FINANCIAL ELIGIBILITY****Rev. 10/01/03****Chapter 520  
Page 520.026**

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(1) The Division determines the MMMNA by adding the following amounts:

(a) \$1,515 (the federal standard maintenance allowance); and

(b) an excess shelter allowance determined by calculating the difference between the standard shelter expense of \$455 and the shelter expenses for the community spouse's principal residence, including:

(i) the actual expenses for rent, mortgage (including interest and principal), property taxes and insurance, and any required maintenance charge for a condominium or cooperative; and

(ii) the applicable standard deduction under the Food Stamp Program for utility expenses. If heat is included in the rent or condominium fee, this amount is \$258. If heat is not included in the rent or condominium fee, this amount is \$425.

(2) The maximum-monthly-maintenance-needs allowance is \$2,267 per month, unless it has been increased as the result of a fair-hearing decision based on exceptional circumstances in accordance with 130 CMR 520.017(D).

(3) If the institutionalized individual is subject to a court order for the support of the community spouse, the court-ordered amount of support must be used as the spousal-maintenance-needs deduction when it exceeds the spousal-maintenance-needs deduction calculated according to 130 CMR 520.026(B) or resulting from a fair hearing.

(C) Deductions for Family-Maintenance Needs.

(1) The Division allows a deduction from the income of a long-term-care resident to provide for the maintenance needs of the following family members if they live with the community spouse:

(a) a minor child — a child under age 21 of either member of the couple;

(b) a dependent child — a child over age 21 who is claimed as a dependent by either spouse for income-tax purposes under the Internal Revenue Code;