



Commonwealth of Massachusetts
Executive Office of Health and Human Services
Office of Medicaid
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Boston, MA 02111
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MassHealth
Eligibility Letter 126
October 1, 2004

TO: MassHealth Staff

FROM: Beth Waldman, Medicaid Director *BW*

RE: Annual Change to the Federal Standard Maintenance Allowance and Standard Shelter Expense

This letter transmits revised regulations about the annual increase to the federal standard maintenance allowance from \$1,515 to **\$1,562**, and the standard shelter expense from \$455 to **\$469**.

These emergency regulations were effective July 1, 2004.

MANUAL UPKEEP

<u>Insert</u>	<u>Remove</u>	<u>Trans. By</u>
520.026 (1 of 5)	520.026 (1 of 5)	E.L. 115

Trans. by E.L. 126**MASSHEALTH
FINANCIAL ELIGIBILITY****Rev. 07/01/04****Chapter 520
(1 of 5) Page 520.026**

- (1) MassHealth determines the MMMNA by adding the following amounts:
- (a) \$1,562 (the federal standard maintenance allowance); and
 - (b) an excess shelter allowance determined by calculating the difference between the standard shelter expense of \$469 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 \$2,319 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) MassHealth 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;