



**Commonwealth of Massachusetts
Executive Office of Health and Human Services
Office of Medicaid**

600 Washington Street
Boston, MA 02111
www.mass.gov/masshealth

MassHealth
Eligibility Letter 154
October 15, 2006

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 \$1,604 to \$1,650 and the standard shelter expense from \$482 to \$495.

In addition, revisions to 130 CMR 520.026(B)(1)(b)(ii) that were issued in Eligibility Letter 140 and then inadvertently changed back to previous amounts, have been reinstated.

These emergency regulations are effective July 1, 2006.

MANUAL UPKEEP

<u>Insert</u>	<u>Remove</u>	<u>Trans. By</u>
520.026 (1 of 5)	520.026 (1 of 5)	E.L. 145

Trans. by E.L. 154**MASSHEALTH
FINANCIAL ELIGIBILITY****Rev. 07/01/06****Chapter 520
Page 520.026**

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

(a) \$1,650 (the federal standard maintenance allowance); and

(b) an excess shelter allowance determined by calculating the difference between the standard shelter expense of \$495 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 \$287. If heat is not included in the rent or condominium fee, this amount is \$474.

(2) The maximum-monthly-maintenance-needs allowance is \$2,488.50 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 MassHealth agency 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;