

DSS-4357EL  
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**GENERAL INFORMATION SYSTEM**  
**DIVISION:** Office of Medicaid Management

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GIS 03 MA/012 - Spousal Impoverishment Figures

04/15/03

**TO:** Local Commissioners, Medicaid Directors

**FROM:** Betty Rice, Director  
Division of Consumer and Local District Relations

**SUBJECT:** Spousal Impoverishment Figures for 2003 and Revised "Information Notice to Couples with an Institutionalized Spouse" and "Spousal Impoverishment Income and Resource Amounts" Chart

**EFFECTIVE DATE:** January 1, 2003

**CONTACT PERSON:** Local District Liaison  
Upstate (518) 474-8216 NYC (212) 268-6855

The Centers for Medicare & Medicaid Services (CMS), formerly the Health Care Financing Administration, has informed the Department that due to an increase in the consumer price index, the federal maximum Community Spouse Resource Allowance (CSRA) increased to \$90,660 effective January 1, 2003. The State's minimum CSRA will remain unchanged at \$74,820. Therefore, in determining the Community Spouse Resource Allowance on and after January 1, 2003, the community spouse is permitted to retain resources in an amount equal to the greater of the following amounts:

1. **\$74,820** (the State minimum Community Spouse Resource Allowance); or
2. the amount of the spousal share up to **\$90,660** (the new federal maximum).

"Spousal share" is the amount equal to one-half of the total value of the countable resources of the couple as of the beginning of the most recent continuous period of institutionalization of the institutionalized spouse on or after September 30, 1989.

Please note that the following family member allowance amount and the figure used in the family member allowance calculation are based on the actual, rather than the estimated, federal poverty level. Effective January 1, 2003, the annual figure for 100 percent of the federal poverty level for a household of two increased to \$12,120. This figure multiplied by 150 percent and then divided by 12 equals \$1,515. Therefore, social services districts must use **\$1,515** to calculate the family member allowance, as follows:

1. Subtract the otherwise available income of the family member from \$1,515 (the remainder is entered on line 19a of page 5 of the Institutionalized Spouse Budget Worksheet);
2. Divide the remainder (amount entered on line 19a of the worksheet) by 3, and round up to the nearest dollar. This is the family member allowance (the amount is entered on line 20 of the worksheet).

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If a family member has no otherwise available income, the family member allowance is **\$505**. All spousal impoverishment cases involving a family member that are active on or after January 1, 2003 must be recomputed using the new family member allowance formula.

In addition, effective January 1, 2003, the Community Spouse Minimum Monthly Maintenance Needs Allowance (MMMNA) increased to **\$2,267**. The increased MMMNA, family member allowance, federal maximum CSRA and State minimum CSRA must be used when completing an assessment of a couple's resources and income.

Any increases in the MMMNA and family member allowance and/or changes in the NAMI of the institutionalized spouse are to be made effective January 1, 2003. Timely and adequate notice must be provided. The increased MMMNA and family member allowance must also be used effective January 1, 2003 in determining any requested contribution of income from a community spouse or from a spouse living apart from an SSI-related applicant/recipient.

As of December 2, 2002 Upstate and January 6, 2003 in New York City, MBL supported \$2,267 as the MMMNA for budgets with Effective From Dates of January 1, 2003 or later.

The informational notice, "Information Notice to Couples with an Institutionalized Spouse" and "Spousal Impoverishment Income and Resource Amounts" chart have been revised, effective January 1, 2003. The updated notice and chart are attachments to the electronic mail version of this GIS message. Social services districts must make the revised notice and updated chart available to all persons requesting such information and are required to include the notice with all Medicaid applications involving an institutionalized spouse.

This is also to inform you that the Human Resources Administration (HRA) Infoline telephone number for New York City residents listed in the "Information Notice to Couples with an Institutionalized Spouse" has changed. New York City residents, calling from within New York City, should call **1-877-472-8411** toll free. If calling from outside the five boroughs, the number is **(718) 557-1399**.

Any questions concerning this message should be directed to your local district liaison, upstate at (518) 474-8216 or in New York City at (212) 268-6855.