

Human Services Committee JOINT FAVORABLE REPORT

Bill No.: SB-195

AN ACT INCREASING THE MINIMUM AMOUNT OF ASSETS THAT MAY BE
RETAINED BY THE SPOUSE OF AN INSTITUTIONALIZED MEDICAID

Title: RECIPIENT.

Vote Date: 3/8/2022

Vote Action: Joint Favorable Change of Reference to Appropriations

PH Date: 3/1/2022

File No.:

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SPONSORS OF BILL:

Human Services Committee

REASONS FOR BILL:

This bill requires DSS to set the minimum community spouse resource allowance at \$50,000. Per the current law, when a married person needs Medicaid-covered institutional care (e.g. nursing home care), the married couple's assets are used towards payment for that care. The community spouse resource allowance, also known as the community spouse protected amount, is the amount of the couple's assets that the spouse who is not being institutionalized (i.e., the community spouse) may keep to avoid impoverishment. Federal law allows states to establish the amount within federal parameters (in 2022, at least \$27,480 and no more than \$137,400).

RESPONSE FROM ADMINISTRATION/AGENCY:

Deidre S. Gifford, Commissioner of the Department of Social Services (DSS): The Department opposes increases to the amount of assets protected for community spouses because the current policy is in line with other states, it is fair and reasonable, and has been in place since 1988. The increase will have fiscal impact on the state. The estimated projected cost of \$4.5 million in addition to system enhancements that would be needed to implement the increase and these costs are not recognized in the Governor's budget.

Mairead Painter State Long Term-Care Ombudsman: The LTCOP is in support of the bill because allowing the spouse living in the community to retain the maximum allowable assets may ease some of this burden, empower the resident or spouse to make the most

appropriate care decision and allow for as much stability as possible. This stability can result in better self-care and enhance the ability for the community spouse to stay living in the community whenever possible.

NATURE AND SOURCES OF SUPPORT:

Marie Allen, President Southwestern CT Agency supports this bill because it would decrease the anxiety and reduce the community spouse's trajectory towards needing State assistance for their own care. For her, increasing the minimum amount of assets would allow the community spouse to keep additional funds available to support in-home services to meet his/her own needs and hasten his/her reliance on Medicaid as well as support the individual desire to remain at home with a modicum of economic security.

Anna Doroghazi, AARP Connecticut, supports the bill because allowing community spouses to keep more of these assets would provide them with the financial cushion they need to take care of themselves in the community and plan for their own future care and well-being. According to her, this is a sensible proposal that would help community spouses live comfortably in the community for many years after their partners enter a nursing home, and AARP support its passage.

Kathleen D. Hayes (CT NAELA), CT NAELA is in support of the bill Senate Bill 195. According to her, per the current law, lower and middle class families do not receive the same financial protections as upper middle class families, leading to financial impoverishment. Moreover, the current law disproportionately discriminates against women, often forcing them into destitution. The passage of this bill will take a significant step toward treating all Medicaid applicants fairly and equally. For her, the community spouse by keeping a minimum of \$50,000, will be better positioned to financially meet his/her personal needs without relying upon public resources, such as Medicaid, Food Assistance, Energy Assistance, or Long-Term Care services for him/herself. The proposed legislation would not impose any financial burden on the State.

NATURE AND SOURCES OF OPPOSITION:

No testimony in opposition was submitted.

Reported by: Isaac Agyemang-Duah

Date: 03/15/2022