

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 22-121—SB 173

Aging Committee

AN ACT CONCERNING A STUDY OF THE COST AND FEASIBILITY OF PERMITTING THE COMMUNITY SPOUSE OF AN INSTITUTIONALIZED MEDICAID RECIPIENT TO RETAIN THE MAXIMUM AMOUNT OF ALLOWABLE ASSETS

SUMMARY: This act requires the social services commissioner to study the cost and feasibility of allowing the spouse of a Medicaid beneficiary living in a medical institution or long-term care facility (e.g., nursing home) to retain the maximum amount of assets allowed under federal Medicaid law (i.e., the “community spouse protected amount” (CSPA)). The commissioner must report her findings to the Aging and Appropriations committees by January 1, 2023.

State law currently allows the spouse to keep the greater of (1) \$50,000 or (2) half of the couple’s combined assets, up to the federal maximum CSPA (\$137,400 in 2022). (PA 22-118 (§ 235) increases the state minimum CSPA from the federal minimum (\$27,480 in 2022) to \$50,000.)

EFFECTIVE DATE: Upon passage