



March 4, 2014

To: The Chairpersons and Honorable Members of the Human Services Committee

From: Jack Reardon, Public Policy Committee Chair, Connecticut Chapter of the National Academy of Elder Law Attorneys, Inc.

Re: **Support for HB 5324: An Act Concerning Medicaid Applications by Married Persons**

Dear Chairpersons and Honorable Members of the Human Services Committee:

Thank you for accepting testimony on behalf of the Connecticut Chapter of the National Academy of Elder Law Attorneys, Inc. ("NAELA"). NAELA is a non-profit association whose mission is to provide legal advocacy, information and education to attorneys, bar associations and others who deal with the many specialized issues involving the elderly and individuals with special needs.

The Connecticut chapter of NAELA presents this written and oral testimony in support of HB5324 "An Act Concerning Medicaid Applications by Married Persons".

1. Background

CTNAELA has been advocating over the years for community spouses of those applying for Medicaid to keep more of their total assets in order for the spouse to provide a higher quality for the spouse and to remain independent rather than becoming dependent on the state's Medicaid plan over time.

Simply put, the proposals from the past five years that have passed, been repealed and been reconsidered all share the same problem – **It's difficult to quantify the actual costs of the program.**

CTNAELA has been interested in pursuing any low fiscal impact options that allows a spouse of a long-term Medicaid recipient to keep more of their assets but agency fiscal notes generated on past proposals have all had varying estimations on its true costs.

Other states have found success in implementing a full maximum Community Spouse Protected Amount such as Massachusetts, Maine and Vermont and New York even found success in passing a modified version of this proposal which allows community spouses to keep a minimum of \$75,000 of their assets.

How can Connecticut take the right approach and pass a proposal that helps this population while not having a large impact on the state budget?

Answer: Provide a mechanism to collect data that will quantify the costs associated with well spouses keeping more of their own assets.

2. Benefits of Personal Choice, Home Care Preference and Addressing a Woman's Issue

Being more pragmatic about the costs associated with these proposals will encourage the personal choice of aging in the community versus sending the ill spouse to a nursing home. The Connecticut home care programs not only support the choice of dignity at home, these programs save money for the State of Connecticut.

Yet, if the ill-spouse chooses home care, the well-spouse now has to cover the additional cost of such things for the ill spouse as food, utilities, uncovered personal hygiene items, doctor visits, personal clothing, and household items.

If the ill spouse is receiving care in a nursing home, these items are covered and do not further deplete the well-spouse's limited resources. These are the scenarios that collecting data will help quantify.

Also, while Connecticut's election of the minimum protected CSPA amount affects both men and women, it is particularly a women's issue since women live longer than men and generally serve as their husband's care giver for several years before the husband qualifies for Medicaid.

3. Conclusion

Please take a strong step in giving Connecticut Seniors and persons with disabilities a truly personal choice of living in the community and being able to afford to do so for the remainder of both spouses' lifetimes.

Thank you all for your service to our State and for your time and attention to meeting the pressing needs of our senior citizens. I'd be happy to answer any questions about this proposal.

Respectfully,

Jack Reardon
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