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## OLR Bill Analysis

### SB 195

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

#### **SUMMARY**

This bill requires the Department of Social Services (DSS) to increase the amount of allowable assets kept by the spouse of someone in a medical institution or nursing facility (e.g., a nursing home) who remains in the community. Under current state law, the spouse may keep the greater of (1) the federal minimum (\$27,480 in 2022) or (2) half the couple's combined assets, up to the federal maximum (\$137,400 in 2022). The bill raises the state minimum community spouse protected amount to \$50,000.

The bill also requires the DSS commissioner to report by July 1, 2023, to the Appropriations and Human Services committees on (1) how many community spouses were able to keep additional assets due to the raised minimum and (2) the cost to the state for raising the minimum.

The bill allows the DSS commissioner to adopt regulations to implement the bill's provisions.

EFFECTIVE DATE: Upon passage

#### **BACKGROUND**

##### ***Community Spouse Protected Amount***

Federal Medicaid law allows the spouse of someone living in a nursing home to keep some of the couple's assets to ensure the spouse living in the community does not become impoverished. The amount retained by the non-institutionalized spouse is referred to as the community spouse protected amount. States establish community spouse protected amounts within federal minimum and maximum limits.

**COMMITTEE ACTION**

Human Services Committee

Joint Favorable Change of Reference - APP  
Yea 20 Nay 0 (03/08/2022)

Appropriations Committee

Joint Favorable  
Yea 50 Nay 0 (04/07/2022)