



ALTCS POLICIES ON COMMUNITY SPOUSE



When a customer who applies for ALTCS has a legally married spouse who is living at home or anywhere other than a medical facility, we call the spouse of the customer the community spouse. We use special rules called community spouse rules. Community spouse rules allow the community spouse to keep some of the couple's resources for the community spouse's own needs. Other rules may allow the community spouse to receive part of the customer's income.

How much of the couple's countable resources does the community spouse get to keep?

The resource limit for the ALTCS program is \$2,000. When we use community spouse rules, a portion of the couple's resources can be set aside for the needs of the community spouse and is not counted towards this limit. The amount of resources that can be kept by the community spouse is called the Community Spouse Resource Deduction (CSRD).

The community spouse's personal CSRD will be calculated by an ALTCS Eligibility Worker when a resource assessment is completed.

Resources that are counted include:

- cash;
- checking and savings account balances;
- stocks;
- bonds;
- certificates of deposit;
- treasury bills;
- cash surrender values for life insurance policies;
- cash surrender values for annuities;
- available assets in a trust;
- additional vehicles (other than the one listed below); and
- real property (other than your home in Arizona).

Resources that are not counted include:

- your home property in Arizona (unless held in a trust);
- one vehicle per household for transportation;
- burial plots;
- irrevocable burial plans; and
- household goods and personal effects.

How is the CSRD calculated?

1. We total all of the countable resources owned by both spouses (singly or jointly) as of the first month the customer was "institutionalized". "Institutionalized" means being in a medical facility for 30 consecutive days or more, or receiving paid home and community based services such as attendant care, which include services like hands-on assistance with activities of daily living (for example: mobility, transferring, toileting).
2. We divide the countable resources owned by both spouses in half to determine the "spousal share".
3. The "spousal share" is compared to the minimum and the maximum CSRD amount.

- If the “spousal share” is less than \$25,284 (effective January 2019), the CSR amount will be \$25,284.
- If the “spousal share” is more than \$126,420 (effective January 2019), the CSR amount will be \$126,420.
- If the “spousal share” is more than \$25,284 and less than \$126,420, then the amount that was calculated as the “spousal share” will be the community spouse’s CSR.

How are resources calculated at the time of ALTCS application?

1. We total all of the countable resources owned by both spouses as of the application month.
2. We subtract the CSR amount from the total countable resources.
3. We compare the remaining amount to the \$2,000 ALTCS resource limit. The remaining amount must be less than or equal to the ALTCS resource limit for the customer to be eligible.

How are resources calculated after ALTCS approval?

After the first twelve months of eligibility, all resources owned by the ALTCS customer must be less than or equal to the \$2,000 resource limit. Therefore, countable resources that are in the customer’s name that are more than the resource limit must be transferred to the spouse during the 12 month period.

WARNING: If any of the ALTCS customer or spouse’s resources are transferred to anyone other than the spouse, the ALTCS customer may be ineligible for long term care for a period of time.

How is income eligibility determined?

When we use Community Spouse rules, income that is counted toward the \$2,313 income limit (effective January 2019) may be counted in either of two ways:

1. The countable income of both spouses is added together and then divided by two (2). We compare that amount to the \$2,313 monthly income limit.
2. If one half of the couple’s combined income exceeds the limit, only the customer’s income is compared to the income limit.

If income still exceeds the limit, eligibility may still be established by setting up an Income Only (Miller) trust when the customer is in an appropriate living arrangement and has income that is less than the average private pay rate for Nursing Home Care. All other eligibility requirements must be met.

How much of the customer’s income does the Community Spouse get to keep?

A spouse is allowed a minimum monthly need of \$2,114.00(effective July 1, 2019). An additional amount can be added if actual shelter costs are more than that amount. If the community spouse’s income is less than the total amount, then the spouse can keep some of the customer’s income.

Please contact your local ALTCS office for additional information.