

TO: Local Commissioners, Medicaid Directors

FROM: Betty Rice, Director
Division of Consumer and Local District Relations

SUBJECT: Medicaid Budgeting of Married Couples in Congregate Care Level II Facilities

EFFECTIVE DATE: Immediately

CONTACT PERSON: Local District Liaison
Upstate (518) 474-8216 New York City (212) 268-6855

This is to advise social services districts of the correct household size to use when a married couple resides together in a licensed Congregate Care Level II facility. In accordance with SSI policy, the correct household size depends on the number of people in the Congregate Care Level II facility.

Three or Fewer People

While a Congregate Care Level II facility normally serves four or more individuals, this is not always the case. A facility may serve fewer than four people. If there are three or fewer people in a Congregate Care Level II facility, a married couple is budgeted as a household of two. MBL is only programmed to budget individuals in a Congregate Care living arrangement as a household of one. Therefore, to determine Medicaid eligibility, the total net income of the couple must be compared off-line to the appropriate Congregate Care Level II rate (SSI benefit level) for a couple. Similarly, resources must be compared off-line to the Medicaid resource level for a two-person household.

Four or More People

If there are four or more people in a Congregate Care Level II facility, a married couple is budgeted as a couple for the month of admission only and as two separate households (two households of one) the month after the change, the first full calendar month in the facility.

As described above, for the month of admission, the couple's eligibility will need to be determined by comparing the net income of the couple off-line to the appropriate Congregate Care Level II rate. Total countable resources must be compared off-line to the Medicaid resource level for a two-person household. Beginning the first full calendar month in the facility, the couple must be budgeted as two separate households. This will require two separate MBL budgets.

Cases affected by this policy should be reviewed and, if appropriate, rebudgeted at recertification or next client contact, whichever is earlier. Note any budget change requires timely and adequate notice.