

RESOURCES

ASSESSMENT/DETERMINATION

If either spouse establishes that the income generated from the community spouse resource allowance is inadequate to raise the community spouse's income (including any income from the institutionalized spouse) to the Minimum Monthly Maintenance Needs Allowance (MMMNA) (see page 238), the local district establishes, pursuant to a fair hearing or court order, a community spouse resource allowance adequate to provide the additional necessary income.

If the institutionalized spouse does not make the community spouse income allowance available to the community spouse, an additional community spouse resource allowance **cannot** be established.

NOTE: A community spouse who refuses to make his or her resources (in excess of the community spouse resource allowance) available to the cost of care for the institutionalized spouse is allowed the appropriate community spouse monthly income allowance. If the community spouse refuses to provide information concerning his/her resources, the community spouse is not entitled to a monthly income allowance, because the amount of income generated by the resources is not known.

2005 Federal Maximum Community Spouse Resource Allowance:

\$95,100

References:

- ADMs 96 ADM-11
- 91 ADM-33
- 89 ADM-47

- GISs **04 MA/032**
- 03MA/027**
- 01 MA/038**
- 00 MA/027**
- 00 MA/030