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 FROM: Solid Ground – Benefits Legal Assistance

<b>SENIOR BULLETIN: MEDICAID</b>
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## Key Medicaid Standards as of January 2021

The table shows Medicaid eligibility and other standards in effect as of 1/1/2021. You can also find all Medicaid (Washington Apple Health) standards online at: <http://www.hca.wa.gov/medicaid/eligibility/pages/standards.aspx>.

Standard	Amount	Effective
Resource standard for Medicaid applicant	\$2,000	1/1/89
Community spouse resource allowance (minimum)	\$58,075	7/1/19
Community spouse resource allowance (maximum) <sup>1</sup>	\$130,380	1/1/21
Community spouse income maintenance allowance (minimum)	\$2,156	7/1/20
Community spouse income maintenance allowance (maximum)	\$3,260	1/1/21
Excess Home Equity <sup>2</sup>	\$603,000	1/1/21
Excess shelter cost standard	\$647	7/1/20
Utility standard for determining excess shelter costs	\$449	10/1/20
Maximum gross income for COPES categorically needy (CN) applicant <sup>3</sup>	\$2,382	1/1/21
Maximum gross income for COPES applicant (see explanation under footnote 4) <sup>4</sup>	\$7,963 (Possibly Higher)	1/1/21
Income allowance for single COPES participant	\$1,064	4/1/20
Income allowance for married COPES participant	\$794	1/1/21
Home maintenance allowance (monthly for 6 months)	\$1,064	4/1/20
Daily average statewide private nursing facility rate <sup>5</sup>	\$346	10/1/20
Monthly average statewide private nursing facility rate	\$10,526	10/1/20
Average monthly state nursing facility rate	\$7,149	10/1/20
Medically needy income level for single person	\$794	1/1/21
Medically needy income level for couple	\$794	1/1/21

<sup>1</sup> The actual amount depends on the date of institutionalization and the couple's total resources at the time of the applicant's institutionalization. See WAC 182-513-1350. The CSRA is also explained in the CLS publications Q & A on Medicaid for Nursing Home Residents and Q & A on the COPES Program.

<sup>2</sup> Based on CPIU (Consumer Price Index-Urban).

<sup>3</sup> For exclusions from gross income, see WAC 182-513-1340. \$2,382 is the current SIL (Special Income Level). COPES applicants with monthly gross non-excluded income of \$2,382, or less, are CN (Categorically Needy) COPES eligible.

<sup>4</sup> Effective April 1, 2012, the Medically Needy In-Home Waiver (MNIW) and the Medically Needy Residential Waiver (MNRW) programs were merged into COPES. **WAC 182-515-1508 sets out the income eligibility rules that determine if an applicant, who is not eligible as CN (Categorically Needy), is income eligible for COPES.**

WAC 182-515-1508(4) provides that applicants whose gross non-excluded monthly income is greater than the SIL (Special income Level - currently \$2,382) are COPES eligible if the applicant's **monthly net income** is no greater than the MNIL (Medically Needy Income Level - currently \$794). **Net income is calculated by reducing gross non-excluded income by:**

- A. Medically Needy (MN) disregards found in WAC 182-513-1345; and
- B. The average monthly nursing facility **state rate** (currently \$7,149).

The \$7,963 number provided here and in the CLS COPES Q&A Pamphlet is derived from adding together the MNIL (currently \$794) and the monthly state average nursing facility rate (currently \$7,149): \$794+ \$7,149+ \$20 general income disregard = \$7,963

Thus, \$7,963 is the maximum allowable gross income for COPES **if the only deduction** from gross non-excluded income is the average monthly nursing facility state rate and the \$20 disregard applicable to all. The \$7,963 number is used in the publications in order to provide a tangible number for use in most cases.

**However, if additional deductions can be taken under WAC 182-513-1345, then the maximum gross non-excluded amount may be higher than \$7,963.** For example, if an applicant has \$8,034 in gross non-excluded income and pays a non-Medicare monthly health insurance premium of \$150.00, the applicant will be COPES income eligible because net income is less than the \$794 MNIL: (\$8,034 - \$7,149 - \$150 - \$20 = \$715).

See the following publication on WashingtonLawHelp (<http://www.washingtonlawhelp.org>) for additional information: [\*Questions and Answers on the COPES Program\*](#)

<sup>5</sup> This is the amount by which total gifts in a month are divided to calculate periods of ineligibility (in days).

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