

Citation	Condition or Requirement								
435.725 435.733 435.832	<p>B. <u>Post-Eligibility Treatment of Institutionalized Individuals</u></p> <p>The following amounts are deducted from gross income when computing the application of an individual's or couple's income to the cost of institutional care:</p> <p>1. Personal Needs Allowance.</p> <p>a. Aged, blind, disabled--</p> <table><tr><td>Individuals</td><td>\$ <u>30.00/month</u></td></tr><tr><td>Couples</td><td>\$ <u>60.00/month</u></td></tr></table> <p>For the following individuals with greater need--</p> <p>Individuals who reside in Intermediate Care Facilities for Mentally Retarded, ICF/MR, and who receive wages from earned income shall have a personal needs allowance of at least \$30.00 up to \$95.00. The method for determining the amount of the personal needs allowance shall be to add the gross earnings up to \$65.00 to the \$30.00 base.</p> <p>b. AFDC related--</p> <table><tr><td>Children</td><td>\$ <u>30.00/month</u></td></tr><tr><td>Adults</td><td>\$ <u>30.00/month</u></td></tr></table> <p>c. Individuals under age 21 covered in this plan as specified in Item B.7. of <u>ATTACHMENT 2.2-A. \$30.00/month</u></p>	Individuals	\$ <u>30.00/month</u>	Couples	\$ <u>60.00/month</u>	Children	\$ <u>30.00/month</u>	Adults	\$ <u>30.00/month</u>
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435.725 435.733 435.832	<p>2. For maintenance of the non-institutionalized spouse only. The monthly income allowance for the community spouse (using the formula in §1924(d)(2) is the amount by which a maintenance needs standard exceeds the community spouse's income. The maintenance needs standard cannot exceed the maximum prescribed in §1924(d)(3)(C).</p> <p>The monthly income allowance for other dependent family members living with the community spouse is one-third of the amount by which the poverty level component (§1924(d)(3)(A)) exceeds the dependent family member's income.</p>								

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TN No. 94-11

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HCFA ID: 7985E

State: West Virginia

Citation	Condition or Requirement
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3. An amount for the maintenance of each family member with no community spouse living in the home. The amount is based on a reasonable assessment of need but must not exceed the highest of the medically needy payment level based on family size.

For children, each family member.

AFDC level	\$Payment level _____
Medically needy level	\$Payment level _____
Others as follows	\$Based on Family Size

4. Amounts for incurred medical expenses not subject to payment by a third party.
- a. Health insurance premiums, deductibles and co-insurance charges
 - b. Necessary medical or remedial care not covered under the Medicaid plan (Reasonable limits on amounts are described in Supplement 3 to ATTACHMENT 2.6-A.)
5. An amount for maintenance of a single individual's home for not longer than 6 months, if a physician has certified he or she is likely to return home within that period.

Yes. Amount for maintenance of home \$175.00/month

No.

1902(1) of the Act

6. SSI benefits paid under section 1611(e)(1)(E) and (G) of the Act to individuals who receive care in a hospital or NF.

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Citation

Condition or Requirement

7. Maintenance standards for community spouses and other dependent family members used to calculate monthly income allowances under Section 1924 of the Act
- a. Community spouses
- ___ 1. A standard based on the formula contained in Section 1924(d) is used.
- X 2. The maximum standard contained in Section 1924(d)(3)(C).
- ___ 3. A fixed standard which is greater than the minimum standard described in Section 1924(d) plus actual shelter costs not to exceed the maximum standard contained in Section 1924(d)(3)(C). The standard used is \$ ____.
- b. Other family members who are dependent
- X 1. A standard based on the formula contained in Section 1924(d)(1)(C) is used.
- ___ 2. A fixed standard greater than the amount which would be used if the formula described in Section 1924(d)(1)(C) were used. The standard used is \$ ____.
- X c. The standards described above are used for individuals receiving home and community-based waiver services in lieu of services provided in a medical or remedial-care institution.
- d. Definition of dependency
- The definition of dependency below is used to define dependent children, parents and siblings for purposes of deducting allowances under Section 1924.
- "Family members" only includes minor or dependent children, dependent parents of either the institutionalized individual or the community spouse or dependent siblings of either the institutionalized individual or the community spouse who are residing with the community spouse who may be claimed by either spouse for tax purposes under the Internal Revenue Code.

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