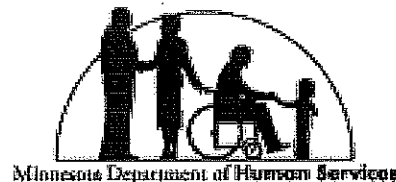


Minnesota Department of Human Services
 Health Care Eligibility and Access
 PO Box 64989
 St Paul, MN 55164-0989



NO ACTION NEEDED
The change in law does not affect your
Medical Assistance eligibility
at this time.

August 10, 2016

Dear Enrollee:

We previously sent you a letter about potential changes in state law affecting how eligibility for Medical Assistance (MA) is determined for married people with disabilities who receive services through one of the following Home and Community-Based Services (HCBS) waiver programs: Brain Injury (BI), Community Access for Disability Inclusion (CADI), Community Alternative Care (CAC), or Developmental Disabilities (DD). You are getting this letter because our records show you continue to receive MA services through one of these waiver programs; you are married; and your spouse does not get waiver or long-term-care services. We are writing to update you about the changes mentioned in our earlier letter.

What has changed?

The Centers for Medicare & Medicaid Services (CMS) is requiring Minnesota to apply a set of rules known as spousal impoverishment protections when determining MA eligibility for the BI, CADI, CAC and DD waiver programs. These rules determine the amount of a married couple's total assets that must be counted when determining whether a married person is eligible for MA for long-term care (LTC).

To comply with the CMS requirement, the Minnesota Legislature made these changes to state law:

- *Current MA enrollees* who applied for services through the BI, CAC, CADI or DD waiver program on or after January 1, 2014, are subject to the spousal impoverishment protection rules. This means that some of an enrollee's spouse's assets may be counted to continue MA eligibility.

According to our records, the change in law does not affect your eligibility at this time because you applied for services through the BI, CAC, CADI or DD waiver program before January 1, 2014. You do not need to take any action now.

- *New applicants* requesting services through the BI, CAC, CADI or DD waiver program on or after June 1, 2016, are subject to the spousal impoverishment protection rules. This means that some of an applicant's spouse's assets may be counted when determining eligibility for MA.
- Beginning June 1, 2016, the amount of a couple's assets that are protected for the community spouse, called the community spouse asset allowance, is now the maximum amount under federal law for all community spouses. This amount is currently \$119,220.

- The county or tribal agency may grant a hardship waiver if your spouse refuses to make excess assets available to you. The excess assets must be in a retirement account that will charge a penalty for early withdrawal. Or they must be in a college savings plan under section 529 of the Internal Revenue Code for you or your spouse's child under age 25.

Questions?

If you have specific questions about your case, please contact your county or tribal agency. County contact information can be found at <https://edocs.dhs.state.mn.us/lfservlet/Public/DHS-0005-ENG>.

For all other questions, please call the Disability Linkage Line® at 866-333-2466.

866-333-2466

Attention. If you need free help interpreting this document, call the above number.

ملاحظة: إذا أردت مساعدة مجانية لترجمة هذه الوثيقة، اتصل على الرقم أعلاه.

ຄំណត់ສຳຄັນ ໑ ຜູ້ສູກສູງກວ່າສູນຊຸບກະບວກໄປຍັງກະສານເສຍເສຍສິດສິດຜູ້ ສູນເປັນຊຸບສຳຄັນສາຍເນອອກເດີ ໑

Pažnja. Ako vam treba besplatna pomoć za tumačenje ovog dokumenta, nazovite gore naveden broj.

Thov ua twb zoo nyeem. Yog hais tias koj xav tau kev pab txhais lus rau tsab ntaub ntawv no pub dawb, ces hu rau tus najnpawb xov tooj saum toj no.

ໄປຮດຊາບ. ຖ້າທ່ານ ທ່ານຕ້ອງການການຊ່ວຍເຫຼືອໃນການແປເອກະສານນີ້ພໍ, ຈົ່ງໂທໄປທີ່ພາຍເລກຂ້າງເທິງນີ້.

Hubachiisa. Dokumentiin kun bilisa akka siif hiikamu gargaarsa hoo feete, lakkoobsa gubbatti kenname bibili.

Внимание: если вам нужна бесплатная помощь в устном переводе данного документа, позвоните по указанному выше телефону.

Digniin. Haddii aad u baahantahay caawimaad lacag-la' aan ah ee tarjumaadda qoraalkan, lambarka kore wac.

Atención. Si desea recibir asistencia gratuita para interpretar este documento, llame al número indicado arriba.

Chú ý. Nếu quý vị cần được giúp đỡ dịch tài liệu này miễn phí, xin gọi số bên trên.

LB3-0001 (2-13)



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