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FIA: MEDICAL SERVICES

House Bill 4269

Sponsor: Rep. Ken Daniels

Committee: Family and Children Services

Complete to 4-14-99

A SUMMARY OF HOUSE BILL 4269 AS INTRODUCED 2-11-99

The bill would amend the Social Welfare Act (MCL 400.107) to require that the Family Independence Agency amend the State Plan for Medical Assistance, which was established under Section 1902 of Title XIX of the Social Security Act (42 USC 1396a), to conform to federal requirements for treating income and resources to determine an institutionalized spouse's eligibility for medical assistance. Unless the need for a higher amount was established in a fair hearing, or by court order, the proposed amendments to the state plan would have to include following provisions:

- The minimum monthly maintenance needs allowance -- as defined in Section 1924(d)(3) of Title XIX -- to be retained by, or transferred to, the spouse of an institutionalized spouse and treated as unavailable for the institutionalized spouse's care, would be \$1,500, as adjusted annually.

- The total amount of resources to be retained by or transferred to the spouse of an institutionalized spouse and treated as unavailable for the institutionalized spouse's care to satisfy the provisions of Section 1924(f)(2)(A) of Title XIX would be the lesser of: the spousal share determined under Section 1924(c) of the Social Security Act, or \$60,000, as adjusted annually.

House Bill 4269 (4-14-99)

Analyst: R. Young

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.