

Protecting Married Seniors from Impoverishment Act (S. 2000)

Introduced by Senator Bob Casey (D-PA)

Medicaid serves as the nation's primary source of coverage for long-term services and supports, funding [more than 50%](#) of long-term care provided nationwide. While many people with Medicaid receive this care in institutional settings, like nursing homes, in 2014 [more than 3 million](#) Americans received this care at home—which is where they overwhelmingly prefer to be, often making it possible for them to live with their spouse and other family members.

A person's need for long-term services and supports takes a significant financial toll on a married couple. Three decades ago, Congress acted to shield these couples from abject poverty. Congress established protections, known as the spousal impoverishment rules, in cases where a spouse requires institutional care to ensure that the partner remaining at home does not need to fully deplete his or her financial resources.

In 2010, Congress expanded these spousal protections to include home and community-based services. Among other Medicaid policies intended to promote access to home-based care, this legislation helped to eliminate institutional biases that limited a family's choice and forced people with Medicaid into costlier institutional settings. Providing long-term services and supports in the home is not only cheaper, it also keeps couples together at home and gives families a meaningful choice concerning how and where to receive care.

In January 2019, the House and Senate voted unanimously to extend spousal impoverishment protections for Medicaid-covered home and community-based services through March 31, 2019 and Congress later extended these protections to September 30, 2019.

What will S. 2000 do? The *Protecting Married Seniors from Impoverishment Act* will make these protections permanent and clarify the existing rules, allowing states to go beyond the federal standards.

Co-Sponsors: Sens. Smith, Van Hollen, Gillibrand, Blumenthal, Shaheen, Brown, Stabenow, Klobuchar

Supporters:

1. AARP
2. AFL-CIO

2019 Spousal Impoverishment Rules

Income: The income of the spouse who does not receive Medicaid is not counted towards his or her partner's eligibility for the program in most states. Further, the spouse is permitted to retain a Minimum Monthly Maintenance Needs Allowance ranging from about [\\$2,113 to \\$3,160](#).

Assets: In most states, a person must have no more than roughly \$2,000 in assets to qualify for Medicaid. Yet, the spouse who does not receive Medicaid can retain a share of the couple's assets. This amount ranges from [\\$25,284 to \\$126,420](#).

3. Allies for Independence
4. Association of University Centers on Disabilities (AUCD)
5. Autism Society of America
6. Autistic Self Advocacy Network
7. Center for Medicare Advocacy
8. Center for Public Representation
9. Community Catalyst
10. The Jewish Federations of North America
11. Justice in Aging
12. LeadingAge
13. Lutheran Services in America
14. Medicare Rights Center
15. National Academy of Elder Law Attorneys
16. National Adult Day Services Association
17. National Association for Home Care & Hospice
18. National Association of Area Agencies on Aging (n4a)
19. National Association of Councils on Developmental Disabilities
20. National Association of State Long-Term Care Ombudsman Programs (NASOP)
21. National Council on Aging
22. National Disability Institute
23. National Disability Rights Network
24. The Gerontological Society of America
25. The Special Needs Alliance
26. Women's Institute for a Secure Retirement (WISER)