

249B.1 Definitions.

As used in [this chapter](#), unless the context otherwise requires:

1. “*Community spouse*” means an individual who has not resided or is not likely to reside in a hospital or a health care facility for more than twenty-nine consecutive days and is married to an institutionalized spouse.

2. “*Community spouse resource allowance*” means a resource amount established for a community spouse pursuant to state policy adopted in accordance with the federal Social Security Act, section 1924(f)(2), as codified in 42 U.S.C. §1396r-5(f)(2).

3. “*Court order*” means a judgment or order of a court of this state or another state requiring the payment of a set or determinable amount of monetary support.

4. “*Department*” means the department of health and human services.

5. “*Institutionalized spouse*” means a married individual who has resided or is likely to reside in a hospital or a health care facility for more than twenty-nine consecutive days.

6. “*Medical assistance*” means “*mandatory medical assistance*”, “*optional medical assistance*”, “*discretionary medical assistance*” or “*Medicare cost sharing*” as defined in [section 249A.2](#) which is provided to an individual pursuant to [chapter 249A](#) and Tit. XIX of the federal Social Security Act.

7. “*Minimum monthly maintenance needs allowance*” or “*minimum allowance*” means the minimum monthly maintenance needs allowance established for the community spouse in accordance with Tit. XIX of the federal Social Security Act, section 1924(d)(3), as codified in 42 U.S.C. §1396r-5(d)(3).

[90 Acts, ch 1098, §1](#); [91 Acts, ch 158, §9](#); [2010 Acts, ch 1061, §180](#); [2013 Acts, ch 138, §73](#); [2023 Acts, ch 19, §813](#)

Subsection 4 amended