

Senate File 83 - Introduced

SENATE FILE 83

BY HOGG

A BILL FOR

- 1 An Act relating to the income considered available in
- 2 determining client participation in payment of medical
- 3 institution care under Medicaid.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. AVAILABLE INCOME — DETERMINATION OF CLIENT
2 PARTICIPATION FOR MEDICAL INSTITUTION CARE UNDER MEDICAL
3 ASSISTANCE PROGRAM — ALIMONY. The department of human
4 services shall adopt rules pursuant to chapter 17A to exclude
5 an amount paid as court-ordered alimony by a client from the
6 department's determination of the client's total monthly income
7 that is available for client participation in the cost of
8 medical institution care under the medical assistance program.
9 Notwithstanding the amount specified by the court to be paid
10 as alimony, the amount excluded shall not exceed the minimum
11 monthly maintenance needs allowance as defined in section
12 249B.1 granted as spousal support for a community spouse.

13 EXPLANATION

14 This bill relates to the determination of an individual's
15 participation in payment for medical institution care under
16 the Medicaid program. The bill provides that in determining
17 a client's total monthly income that is available for client
18 participation, the amount paid by the client as court-ordered
19 alimony is to be excluded. However, notwithstanding the
20 amount specified by the court to be paid as alimony, the
21 amount excluded cannot exceed the minimum monthly maintenance
22 needs allowance as defined in Code section 249B.1 granted
23 as spousal support for a community spouse. The amount is
24 established pursuant to the federal Social Security Act, 42
25 U.S.C. § 1396r-5(d)(3)(C) and is indexed for inflation annually
26 according to the consumer price index. Effective January
27 1, 2013, the minimum monthly maintenance needs allowance is
28 \$2,898.