

**House Study Bill 75 - Introduced**

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED DEPARTMENT OF  
HUMAN SERVICES BILL)

**A BILL FOR**

1 An Act relating to the community spouse resource allowance  
2 under the Medicaid program.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 249A.3, subsection 9, Code 2019, is  
2 amended to read as follows:

3 9. ~~Beginning October 1, 1990, in~~ In determining the  
4 eligibility of an institutionalized individual for assistance  
5 under this chapter, the department shall establish a minimum  
6 community spouse resource allowance in an amount which is the  
7 greater of twenty-four thousand dollars ~~to be retained for the~~  
8 ~~benefit of the institutionalized individual's community spouse~~  
9 ~~in accordance with~~ or the minimum required as a condition of  
10 receipt of federal funding pursuant to section 1924(f)(2)(A)(i)  
11 of the federal Social Security Act, as codified in 42 U.S.C.  
12 §1396r-5(f)(2)(A)(i), and as adjusted pursuant to section  
13 ~~1924(f)~~ 1924(g) of the federal Social Security Act as codified  
14 in 42 U.S.C. ~~§1396r-5(f)~~ §1396r-5(g).

15

EXPLANATION

16 The inclusion of this explanation does not constitute agreement with  
17 the explanation's substance by the members of the general assembly.

18 This bill amends the amount allowed to be retained for  
19 the benefit of the community spouse of an institutionalized  
20 individual to comply with federal law. The bill provides  
21 that the amount is the greater of the current \$24,000 amount  
22 stated in state law or the minimum required under federal  
23 law as a condition of receipt of federal funding under the  
24 Medicaid program. The minimum allowances under the minimum  
25 spousal impoverishment standards released by the centers for  
26 Medicare and Medicaid Services of the United States department  
27 of health and human services (CMS) effective on January 1 of  
28 the respective year are \$24,180 for 2017, \$24,720 for 2018, and  
29 \$25,284 for 2019.