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A Roundup of Key Elder Law Numbers for 2010

Medicaid Spousal Impoverishment Figures for 2010 Unchanged from 2009

The minimum community spouse resource allowance (CSRA) remains **\$21,912** and the maximum CSRA remains **\$109,560**. The maximum monthly maintenance needs allowance remains **\$2,739**. The minimum monthly maintenance needs allowance remains **\$1,821.25** until July 1, 2010.

Income cap: Because the SSI federal benefit rate was unchanged, the income cap for 2010 applicable in "income cap" states, such as Florida, should remain \$2,022 a month.

Monthly Personal Needs Allowance: \$35

Asset Limit (Individual): \$2,000

Statewide Divisor: \$5,000

Although subject to increases for inflation, **the annual gift tax exclusion amount remains at \$13,000 for 2010.**

Long-Term Care Premium Deductibility Limits for 2010

The Internal Revenue Service has announced the 2010 limitations on the deductibility of long-term care insurance premiums from taxes. Any premium amounts above these limits are not deductible.

<u>Attained age before the close of the taxable year</u>	<u>Maximum deduction</u>
40 or less	\$330
More than 40 but not more than 50	\$620
More than 50 but not more than 60	\$1,230
More than 60 but not more than 70	\$3,290
More than 70	\$4,110

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Benefits from per diem or indemnity policies, which pay a predetermined amount each day, are not included in income except amounts that exceed the beneficiary's total qualified long-term care expenses or \$290 per day (for 2010), whichever is greater.

Medicare Premiums, Deductibles and Co-payments for 2010

- Basic Part B premium: \$110.50/month (was \$96.40) (But most beneficiaries will not pay this increase due to a "hold-harmless" provision in the Medicare law prohibiting Part B premiums from rising more than that year's cost of living increase in Social Security benefits.)
- Part B deductible: \$155 (was \$135)
- Part A deductible: \$1,100 (was \$1,068)
- Co-payment for hospital stay days 61-90: \$275/day (was \$267)
- Co-payment for hospital stay days 91 and beyond: \$550/day (was \$534)
- Skilled nursing facility co-payment, days 21-100: \$137.50/day (was \$133.50)

Premiums for higher-income beneficiaries:

- Individuals with annual incomes between \$85,000 and \$107,000 and married couples with annual incomes between \$170,000 and \$214,000 in 2010 will pay a monthly premium of \$154.70.
- Individuals with annual incomes between \$107,000 and \$160,000 and married couples with annual incomes between \$214,000 and \$320,000 in 2010 will pay a monthly premium of \$221.
- Individuals with annual incomes between \$160,000 and \$214,000 and married couples with annual incomes between \$320,000 and \$428,000 in 2010 will pay a monthly premium of \$287.30.
- Individuals with annual incomes of \$214,000 or more and married couples with annual incomes of \$428,000 or more in 2010 will pay a monthly premium of \$353.60.

Rates differ for beneficiaries who are married but file a separate tax return from their spouse:

- Those with incomes between \$85,000 and \$128,000 will pay a monthly premium of \$287.30.
- Those with incomes greater than \$128,000 will pay a monthly premium of \$353.60.

Social Security Benefit Changes for 2010

Monthly Social Security and Supplemental Security Income (SSI) benefits will not automatically increase in 2010 as there was no increase in the Consumer Price Index (CPI-W) from the third quarter of 2008 through the third quarter of 2009.

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