



# ELDER LAW ASSOCIATES PA

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## 65A-1.716 Income and Resource Criteria.

(1) The monthly federal poverty level figures based on the size of the filing unit are as follows:

Filing Unit Size	88% of Poverty Guideline	100% of Poverty Guideline	120% of Poverty Guideline	133% of Poverty Guideline	135% of Poverty Guideline	185% of Poverty Guideline	200% of Poverty Guideline
1	\$843	\$958	\$1,149	\$1,274	\$1,293	\$1,772	\$1,915
2	\$1,138	\$1,293	\$1,551	\$1,720	\$1,745	\$2,392	\$2,585
3		\$1,628		\$2,165		\$3,011	\$3,255
4		\$1,963		\$2,611		\$3,631	\$3,925
5		\$2,298		\$3,056		\$4,251	\$4,595
6		\$2,633		\$3,502		\$4,871	\$5,265
7		\$2,968		\$3,947		\$5,490	\$5,935
8		\$3,303		\$4,393		\$6,110	\$6,605
9		\$3,638		\$4,838		\$6,730	\$7,275
10		\$3,973		\$5,284		\$7,350	\$7,945
11		\$4,308		\$5,729		\$7,969	\$8,615
12		\$4,643		\$6,175		\$8,589	\$9,285
Add each add. person		\$335		\$446		\$620	\$670

(2) Medicaid income and payment eligibility standards and Medically Needy income levels are by family size as follows:

Family Size	Monthly Income Level
1	\$180
2	\$241
3	\$303
4	\$364
5	\$426
6	\$487
7	\$549
8	\$610
9	\$671
10	\$733

For each additional person add \$62.

Exception: In determining eligibility for a pregnant woman the income limit used shall be increased to the higher limit corresponding to the applicant's actual family size, including each anticipated unborn child as a family member.

### Additional Offices:

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(3) The resource limits for the Medically Needy program are as follows:

<b>Family Size</b>	<b>Monthly Asset Level</b>
1	\$5,000
2	\$6,000
3	\$6,000
4	\$6,500
5	\$7,000
6	\$7,500
7	\$8,000
8	\$8,500
9	\$9,000
10	\$9,500

For each additional person add \$500.

Exception: In determining eligibility for a pregnant woman the resource limit used shall be increased to the higher limit corresponding to the applicant's actual family size, including each anticipated unborn child as a family member.

(4) The maximum resource limit is \$2,000 for those individuals:

(a) Whose Medicaid coverage is based on their status as eligible based on payment standard income criteria [Refer to subsection 65A-1.716(2), F.A.C.]; or

(b) Are children living with their parent(s) and who, as children, would qualify for cash assistance except for their age. The maximum resource limit of \$2,000 also applies to those coverage groups indicated in Rule 65A-1.703, F.A.C. However, there is no asset limit for the coverage groups specified in subsections 65A-1.703(3) through (5), F.A.C.

(5) SSI-Related Program Standards.

(a) SSI (42 U.S.C. §§ 1382 – 1383c) Resource Limits:

1. \$2000 per individual.

2. \$3000 per eligible couple or eligible individual with an ineligible spouse who are living together.

(b) The income standard which applies to an individual under the HCBS waiver programs, ICP and Hospice is 300 percent of the SSI FBR for an individual.

(c) Spousal Impoverishment Standards.

1. State's Resource Allocation Standard. The amount of the couple's total countable resources which may be allocated to the community spouse is equal to the maximum allowed by 42 U.S.C. § 1396r-5.

2. State's Minimum Monthly Maintenance Income Allowance (MMMIA). The minimum monthly income allowance the department recognizes for a community spouse is equal to 150 percent of the federal poverty level for a family of two.

3. Excess Shelter Expense Standard. The community spouse's shelter expenses must exceed 30 percent of the MMMIA to be considered excess shelter expenses to be included in the maximum income allowance:  $MMMIA \times 30\% = \text{Excess Shelter Expense Standard}$ . This standard changes July 1 of each year.

4. Food Assistance Program Standard Utility Allowance. The amount specified in Rule 65A-1.603, F.A.C.

5. Cap of Community Spouse Income Allowance. The MMMIA plus excess shelter allowance cannot exceed the maximum amount allowed under 42 U.S.C. § 1396r-5. This standard changes January 1 of each year.

(d) Average monthly private pay nursing facility rate: \$7,638.

(e) The following life expectancy tables are compiled from information published by the Office of the Chief Actuary of the Social Security Administration:

**LIFE EXPECTANCY TABLE – FEMALES**

<b>Age</b>	<b>Life Expectancy</b>	<b>Age</b>	<b>Life Expectancy</b>	<b>Age</b>	<b>Life Expectancy</b>
0	80.43	40	41.91	80	9.43
1	79.92	41	40.97	81	8.86
2	78.95	42	40.03	82	8.31
3	77.97	43	39.10	83	7.77
4	76.99	44	38.17	84	7.26
5	76.00	45	37.24	85	6.77
6	75.01	46	36.32	86	6.31
7	74.02	47	35.41	87	5.87
8	73.03	48	34.50	88	5.45
9	72.04	49	33.59	89	5.06
10	71.04	50	32.69	90	4.69
11	70.05	51	31.80	91	4.36
12	69.06	52	30.91	92	4.04
13	68.07	53	30.02	93	3.76
14	67.08	54	29.14	94	3.50
15	66.09	55	28.27	95	3.26
16	65.11	56	27.40	96	3.05
17	64.13	57	26.53	97	2.87
18	63.15	58	25.67	98	2.70
19	62.18	59	24.82	99	2.54
20	61.20	60	23.97	100	2.39
21	60.23	61	23.14	101	2.25
22	59.26	62	22.31	102	2.11
23	58.29	63	21.49	103	1.98
24	57.32	64	20.69	104	1.86
25	56.35	65	19.89	105	1.74
26	55.38	66	19.10	106	1.62
27	54.40	67	18.32	107	1.52
28	53.44	68	17.55	108	1.41
29	52.47	69	16.79	109	1.31
30	51.50	70	16.05	110	1.22
31	50.53	71	15.32	111	1.13
32	49.56	72	14.61	112	1.05
33	48.60	73	13.91	113	0.97
34	47.64	74	13.22	114	0.89
35	46.68	75	12.55	115	0.82
36	45.72	76	11.90	116	0.75
37	44.76	77	11.26	117	0.70
38	43.81	78	10.63	118	0.64
39	42.86	79	10.03	119	0.59

LIFE EXPECTANCY TABLE MALES

Age	Life Expectancy	Age	Life Expectancy	Age	Life Expectancy
0	75.38	40	37.84	80	7.90
1	74.94	41	36.93	81	7.41
2	73.98	42	36.02	82	6.94
3	73.00	43	35.12	83	6.49
4	72.02	44	34.22	84	6.06
5	71.03	45	33.33	85	5.65
6	70.04	46	32.45	86	5.26
7	69.05	47	31.57	87	4.89
8	68.06	48	30.71	88	4.55
9	67.07	49	29.84	89	4.22
10	66.08	50	28.99	90	3.92
11	65.09	51	28.15	91	3.64
12	64.09	52	27.32	92	3.38
13	63.10	53	26.49	93	3.15
14	62.12	54	25.68	94	2.93
15	61.14	55	24.87	95	2.75
16	60.18	56	24.06	96	2.58
17	59.22	57	23.26	97	2.44
18	58.27	58	22.48	98	2.30
19	57.33	59	21.69	99	2.19
20	56.40	60	20.92	100	2.07
21	55.47	61	20.16	101	1.96
22	54.54	62	19.40	102	1.85
23	53.63	63	18.66	103	1.75
24	52.71	64	17.92	104	1.66
25	51.78	65	17.19	105	1.56
26	50.86	66	16.48	106	1.47
27	49.93	67	15.77	107	1.39
28	49.00	68	15.08	108	1.30
29	48.07	69	14.40	109	1.22
30	47.13	70	13.73	110	1.15
31	46.20	71	13.08	111	1.07
32	45.27	72	12.44	112	1.00
33	44.33	73	11.82	113	0.94
34	43.40	74	11.21	114	0.87
35	42.47	75	10.62	115	0.81
36	41.54	76	10.04	116	0.75
37	40.61	77	9.48	117	0.70
38	39.68	78	8.94	118	0.64
39	38.76	79	8.41	119	0.59

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.906, 409.919 FS. History—New 10-8-97, Amended 12-9-99, 2-15-01, 11-25-01, 7-28-02, 4-1-03, 9-10-03, 8-30-04, 8-10-06, 4-15-12, 10-16-12, 11-4-12, 9-18-13.