

A bill for an act

relating to human services; increasing the medical assistance asset limit for elderly individuals who own and occupy a homestead; amending Minnesota Statutes 2006, section 256B.056, subdivision 3.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2006, section 256B.056, subdivision 3, is amended to read:

Subd. 3. **Asset limitations for ~~individuals and families~~ the aged, blind, or disabled.** To be eligible for medical assistance, a person who is aged, blind, or disabled must not individually own more than \$3,000 in assets, or if a member of a household with two family members, husband and wife, or parent and child, the household must not own more than \$6,000 in assets, plus \$200 for each additional legal dependent, except that a person age 65 or older who owns and occupies a homestead must not individually own more than \$10,000 in assets, or if a member of a household with two family members, husband and wife, or parent and child, the household must not own more than \$15,000 in assets, plus \$500 for each additional legal dependent. In addition to these maximum amounts, an eligible individual or family may accrue interest on these amounts, but they must be reduced to the maximum at the time of an eligibility redetermination. The accumulation of the clothing and personal needs allowance according to section 256B.35 must also be reduced to the maximum at the time of the eligibility redetermination. The value of assets that are not considered in determining eligibility for medical assistance is the value of those assets excluded under the supplemental security income program for aged, blind, and disabled persons, with the following exceptions:

(a) Household goods and personal effects are not considered.

H.F. No. 4214, as introduced - 2007-2008th Legislative Session (2007-2008)

(b) Capital and operating assets of a trade or business that the local agency determines are necessary to the person's ability to earn an income are not considered.

(c) Motor vehicles are excluded to the same extent excluded by the supplemental security income program.

(d) Assets designated as burial expenses are excluded to the same extent excluded by the supplemental security income program. Burial expenses funded by annuity contracts or life insurance policies must irrevocably designate the individual's estate as contingent beneficiary to the extent proceeds are not used for payment of selected burial expenses.

(e) Effective upon federal approval, for a person who no longer qualifies as an employed person with a disability due to loss of earnings, assets allowed while eligible for medical assistance under section 256B.057, subdivision 9, are not considered for 12 months, beginning with the first month of ineligibility as an employed person with a disability, to the extent that the person's total assets remain within the allowed limits of section 256B.057, subdivision 9, paragraph (b).

EFFECTIVE DATE. This section is effective July 1, 2008, or upon federal approval, whichever is later.