

MASSHEALTH LONG TERM CARE

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Medical Eligibility

An ASAP (Aging Service Access Point) nurse does a medical screening to ensure that the person meets the clinical criteria for a skilled nursing facility.

Family Assistance Coverage of Long Term Care

A 2021 change expanded state-funded MassHealth Family Assistance to cover up to six months of nursing facility care for some lawfully present immigrants.

Financial Eligibility - Income, and how MassHealth pays for nursing facility charges

Unlike Community MassHealth, there is no income limit for MassHealth LTC financial eligibility.

Patient Paid Amount (PPA) – this is the resident's monthly income, minus allowable deductions, that gets paid to the nursing facility.

MassHealth then pays the balance of the monthly nursing facility cost.

Permissible Deductions From PPA

- * Personal Needs Allowance (PNA) - \$72.80
- * Spousal Maintenance of Needs Deduction
- * Family Maintenance of Needs Deduction
- * Maintenance of Former Home Deduction
- * Premiums and Incurred Medical Expenses
- * Guardianship Fees and Expenses

Rights of Community Spouses


The “MMMNA”

Minimum Monthly Maintenance of Needs Allowance

If the CS income is below the income minimum of \$2,555.00, CS can keep their own income plus a share of IS income.

The share is based on a formula of CS' housing costs to determine how much income CS can keep up to the maximum MMMNA of \$3948 (2025 limit).

This amount can be increased by appeal



Family Maintenance of Needs Deduction

Another permissible deduction from the PPA, to provide for the maintenance needs of the following family members if they live with the Community Spouse (must also be claimed as dependents on the CS' tax return):

- Minor child under age 21; or
- Dependent child 21+; or
- Dependent parent; or
- Dependent sibling.

Deduction to Maintain Former Home

Single individual with no dependents in the home

Doctor verifies resident is likely to return home within six months.

Can deduct up to 100% of FPL (\$1304 in 2025) per month to pay housing costs for six months.




Premiums and Incurred Medical Expenses

- Medigap payments
- Medicare Part B premium
- Dental work
- Eye glasses
- Hearing aids

Guardianship Expenses

Costs related to appointment of guardian – up to \$500

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Costs for MassHealth application \$500 - \$750

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Monthly Guardianship Fee - \$50 per hour twice monthly

Financial Eligibility - Assets

The resident's countable assets must be below \$2,000

Countable assets include:
Money in bank; stocks, bonds;
property other than principal place
of residence; cash surrender
value of life insurance policy

Non-Countable Assets

Irrevocable Burial or Funeral Contract



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graph TD; A[Irrevocable Burial or Funeral Contract] --> B["$1,500 Burial Account"]; B --> C[One Vehicle]; C --> D["The Home – Primary Residence and equity of less than $1,097,000 in 2025"]
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The diagram is a vertical flowchart with four rectangular boxes, each containing text. The boxes are arranged in a descending staircase pattern from top-left to bottom-right. Each box is a different shade of green, with the color becoming darker from top to bottom. White arrows point downwards from the bottom-right corner of one box to the top-right corner of the next box below it.

\$1,500 Burial Account

One Vehicle

The Home – Primary Residence and equity of less than \$1,097,000 in 2025

Community Spouse Resource Allowance

Community Spouse can keep 50% of the couple's assets, up to \$154,920 in 2025, of *countable* marital assets (which excludes the home, if the CS is still living there). If the CS' share of the assets falls under \$31,584, then 100% of the countable marital assets, up to \$31,584, can be kept by the CS.

CS may be able to keep more than the \$154,920 if she can show the couple's combined income and the interest generated by their assets are less than the MMMNA. This request can only be made via a fair hearing.

The Home Is A Non- Countable Asset IF:

Must be primary residence

Must have equity value of \$ 1,097,000 or
Less (2025)

Resident must express an intent to return
home

Spouse or dependents or caretaker
children or siblings with ownership
interest still resides there

Transfer of Assets

To discourage the giving away of assets to qualify for MassHealth LTC, federal Medicaid law imposes harsh transfer of assets penalties.



Penalty For Transfer of Assets

5 year “look back period” in which financial transactions are scrutinized

- ▼ Penalty start date for transfers – date of LTC application.

Penalty divisor is \$441/day (effective 11/1/24-10/31/25)

Permissible Transfer of Assets

No penalty is imposed when assets
(including the home) are transferred to:

Spouse

Children under 21

Adult disabled child (In MassHealth long-term care regulations, an "adult disabled child" generally refers to a disabled individual aged 21 or older who has a mental or physical condition severely limiting their ability to work or perform activities of daily living for at least 12 months, meeting federal and state disability standards)

Caretaker child (In MassHealth long-term care regulations, a "caretaker child" is defined as a child of the applicant who lived in the applicant's home for at least two years before the applicant's institutionalization, and who provided care that enabled the applicant to remain at home rather than move to a nursing home.)



Estate Recovery

In September 2024 the MassHealth estate recovery statute at M.G.L. c. 118E, §31 was amended. The new law took effect December 5, 2024 and applied retroactively to probate estates of MassHealth members who have died after August 1, 2024. It *reduces* the scope of estate recovery to *only* what federal law requires, which includes recovering the costs of nursing home care and Medicaid Home- and Community-Based Waiver services.

Nursing Home Discharge –

Notice Requirements

30 day written Notice of Intent to Transfer or Discharge is required, and must identify the proposed discharge location.

Discharge location must be “safe and appropriate”

Permissible Reasons for Discharge

1. The transfer or discharge is necessary for the residents' welfare and the resident's needs cannot be met in the nursing facility

2. The resident's health improved sufficiently and the resident no longer needs the services provided by the facility

3. The safety of individuals in the facility are endangered

4. The health of individuals in the facility would otherwise be endangered

5. Non-payment -- the resident has failed, after proper notice to pay for their stay or have MassHealth pay for their stay

6. The nursing facility ceases to operate

Stay of Discharge Pending Appeal

A resident can file a Request for Fair Hearing within the 30-day notice period (including up to day 30).

The resident has the right to a MassHealth Board of Hearings Fair Hearing, before a BOH Hearing Officer.

If a timely appeal is filed, and if the Hearing Officer rules in nursing facility's favor, the nursing facility cannot transfer or discharge for 30 days after the decision is rendered.