

"SECTION 1924 PROVISIONS"

The Supplement should include the following:

- A. Income and resource eligibility policies used to determine eligibility for institutionalized individuals who have spouses living in the community are consistent with 1924.
- B. In the determination of resource eligibility the State resource standard is the maximum allowed under Section 1924 (f)(2)A(ii) (II) as adjusted annually in accordance with 1924(g).
- C. The definition of undue hardship for purposes of determining if institutionalized spouses receive Medicaid in spite of having excess countable resources is described below:

Undue hardship will be found to exist if an individual would be forced to go without life sustaining services altogether because countable resources exceeds the prescribed limits and the application would have to be denied.

Exemption will be determined on a case by case basis by the Medicaid Eligibility State Staff of the Division of Public Assistance and Social Services.

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