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ENGROSSED HOUSE BILL 3002

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State of Washington   **57th Legislature**   **2002 Regular Session**

By Representatives Cody and Sommers

Read first time . Referred to Committee on Appropriations.

1   AN ACT Relating to the treatment of income and resources for
2 institutionalized persons receiving medical assistance; amending RCW
3 74.09.575; providing an effective date; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5   **Sec. 1.** RCW 74.09.575 and 1989 c 87 s 5 are each amended to read
6 as follows:
7   (1) The department shall promulgate rules consistent with the
8 treatment of resources provisions of section 1924 of the social
9 security act entitled "Treatment of Income and Resources for Certain
10 Institutionalized Spouses," in determining the allocation of resources
11 between the institutionalized and community spouse.
12   (2) In the interest of supporting the community spouse the
13 department shall allow the maximum resource allowance amount
14 permissible under the social security act for the community spouse for
15 persons institutionalized before July 1, 2002.
16   (3) For persons institutionalized on or after July 1, 2002, the
17 department, in the interest of supporting the community spouse, shall
18 allow up to a maximum of thirty thousand dollars in resources for the
19 community spouse. For the fiscal biennium beginning July 1, 2003, and

1 <u>each fiscal biennium thereafter, the maximum resource allowance amount</u>
2 <u>for the community spouse shall be adjusted for economic trends and</u>
3 <u>conditions by increasing the amount allowable by the consumer price</u>
4 <u>index as published by the federal bureau of labor statistics. However,</u>
5 <u>in no case shall the amount allowable exceed the maximum resource</u>
6 <u>allowance permissible under the social security act.</u>

7   <u>NEW SECTION.</u> **Sec. 2.**   This act is necessary for the immediate
8 preservation of the public peace, health, or safety, or support of the
9 state government and its existing public institutions, and takes effect
10 July 1, 2002.

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