

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-SEVENTH LEGISLATURE**

**S.F. No. 645**

(SENATE AUTHORS: LOUREY)

DATE	D-PG	OFFICIAL STATUS
03/07/2011	432	Introduction and first reading Referred to Health and Human Services

1.1 A bill for an act  
1.2 relating to human services; requiring spousal contribution for long-term care  
1.3 expenses; amending Minnesota Statutes 2010, section 256B.14, by adding a  
1.4 subdivision.

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

1.6 Section 1. Minnesota Statutes 2010, section 256B.14, is amended by adding a  
1.7 subdivision to read:

1.8 Subd. 3b. **Community spouse contribution; excess income.** (a) The community  
1.9 spouse of an institutionalized person who receives medical assistance under section  
1.10 256B.059, subdivision 5, paragraph (b), has an obligation to contribute to the cost of the  
1.11 care for the institutionalized spouse by making monthly payments on a sliding scale  
1.12 based on income, unless the community spouse is caring for a minor or disabled child in  
1.13 which case no payment must be assessed.

1.14 (b) For a spouse with an adjusted gross income equal to or greater than 250 percent  
1.15 of the federal poverty guidelines for a family of two and less than 545 percent of the  
1.16 federal poverty guidelines for a family of two, the spousal contribution shall be determined  
1.17 using a sliding fee scale established by the commissioner which begins at 7.5 percent of  
1.18 the adjusted gross income and increases to 15 percent of the adjusted gross income for  
1.19 those with an adjusted gross income of up to 545 percent of the federal poverty guidelines  
1.20 for a family of two.

1.21 (c) For a spouse with an adjusted gross income equal to or greater than 545 percent  
1.22 of the federal poverty guidelines for a family of two and less than 675 percent of the  
1.23 federal poverty guidelines for a family of two, the spousal contribution shall be 20 percent  
1.24 of the adjusted gross income.

**S.F. No. 645, as introduced - 87th Legislative Session (2011-2012) [11-2102]**

2.1 (d) For a spouse with an adjusted gross income equal to or greater than 675 percent  
2.2 of the federal poverty guidelines for a family of two and less than 975 percent of the  
2.3 federal poverty guidelines for a family of two, the spousal contribution shall be determined  
2.4 using a sliding fee scale established by the commissioner which begins at 20 percent of  
2.5 the adjusted gross income and increases to 30 percent of the adjusted gross income for  
2.6 those with an adjusted gross income of up to 975 percent of the federal poverty guidelines  
2.7 for a family of two.

2.8 (e) For a spouse with an adjusted gross income equal to or greater than 975 percent  
2.9 of the federal poverty guidelines for a family of two, the spousal contribution shall be  
2.10 33 percent of the adjusted gross income.

2.11 (f) In no case shall the spousal contribution exceed the amount of medical assistance  
2.12 expended for the care of the institutionalized spouse.

2.13 (g) The spousal contribution shall be explained in writing at the time eligibility  
2.14 for services is being determined.

2.15 (h) The monthly contribution amount shall be reviewed at least once every 12  
2.16 months, and when there is a loss or gain in income in excess of ten percent per month.  
2.17 If the contribution amount is to be adjusted, the local agency must mail a written notice  
2.18 to the community spouse 30 days in advance of the effective date of the change in the  
2.19 amount of the contribution.