

## ***The Protecting Married Seniors from Impoverishment Act:***

### **What It Does and Why We Need it NOW**

Since the late 1980s, Federal law has allowed well spouses to keep a modest amount of financial resources without jeopardizing their ill or disabled spouse's eligibility for Medicaid-funded nursing home care. But most well spouses prefer to keep their ill spouses at home, where quality of life and quality of care are better than in a nursing home—and the cost of care to the Federal government is less.

**The Federal law that applies spousal anti-impoverishment protections when Medicaid pays for an ill spouse's long-term care at home will expire on December 31!** Without these protections, many well spouses will be forced to choose between total impoverishment and placing their ill spouse in a nursing home. It is time to make well spouse anti-impoverishment protections for an ill spouse's Medicaid-funded home care **permanent**—just as they are for Medicaid-funded nursing home care.

Ever since Federal protections against impoverishment of well spouses whose ill spouses receive Medicaid for home care expired on January 1, these vital protections have been on life support. Congress has kicked the can down the road three times since then by passing very short-term extensions of these protections, but continues to defer action on a longer-term fix.

That's why we need **H.R. 1343** and **S. 2000, the *Protecting Married Seniors from Impoverishment Act***. These bills amend title XIX of the Social Security Act to make permanent the soon-to-expire protection against impoverishment for spouses of recipients of Medicaid-funded home and community-based services.

Providing spousal impoverishment protections for home care enables spouses to stay together while reducing the risk that well spouses will end up poor due to their significant other's long-term illness or disability—and keeps ill spouses out of nursing homes where quality of care and quality of life will likely be worse, while cost of care to the Federal government will likely be more.