Will Medical Assistance pay the full cost of my nursing home care?

No, unless you have no income or your only source of income is SSI. If you have income, you must pay it toward your care, and Medical Assistance will pay the rest.

How does Medical Assistance determine how much I have to pay the nursing home?

Medical Assistance requires you to pay the nursing home your “available income” each month.

Available Income = Total Income - Deductions

To determine how much you have to pay, Medical Assistance will:

Add up your total income from all sources.
- Income includes Social Security, alimony, pensions, retirement, VA benefits, interest and dividends, and any other income you receive.

Subtract the following amounts from your total income. These are your deductions:
- $71* per month for personal expenses such as toiletries, clothing, and newspapers.
- The monthly cost of health insurance premiums you pay.
- An allowance for your spouse, up to $1,821* per month, if applicable.
- An allowance for any dependent family members living with your spouse, if applicable.
- An allowance to maintain your home if you live alone, up to $350 per month for up to six months from the date you came to the nursing home, if applicable.
- Certain unpaid medical expenses not covered by any other health insurance.
- Part of the cost of other health related items such as eyeglasses, dentures, and hearing aids may sometimes be deducted. Any other expenses you have will not be considered as deductions. For example, there is no deduction to allow you to continue to pay your mortgage or a car loan.

* These figures are accurate for 2010, but may change in the future. Please check with your Medical Assistance caseworker for the most current information.

After Medical Assistance determines your “available income,” it will notify you. You must pay this amount each month to the nursing home.

Example: Mr. Jones is in a nursing home that costs $5,000 a month. Medical Assistance determines that Mr. Jones’ “available income” is $400 a month to help pay his nursing home bill. He pays the nursing home $400 per month. Medical Assistance pays the remaining $4,600 ($5,000 - $400 = $4,600).

Should I wait until Medical Assistance is approved before I pay the nursing home?

No! The Medical Assistance application process can take several months. You will not know exactly what your “available income” is until you are approved for Medical Assistance. While you wait, you still owe your portion of the bill to the nursing home. You should estimate what your “available income” will be and pay that to the nursing home each month.

What if my only income is Supplemental Security Income (SSI)?

If your only income is SSI, Social Security reduces your SSI payment to $30 per month while you are in a nursing home. If you receive SSI, you must tell Social Security right away that you are in a nursing home. You can’t keep your full SSI amount in the nursing home, or you will owe Social Security the money back. You can keep the $30 for personal use.

How can I avoid being discharged for not paying the nursing home?

✓ Remember that if Medical Assistance decides you have “available income,” you must pay it to the nursing home every month.
✓ Make monthly estimated payments of your “available income” while your Medical Assistance application process takes several months. You will not know exactly what your “available income” is until you are approved for Medical Assistance. While you wait, you still owe your portion of the bill to the nursing home. You should estimate what your “available income” will be and pay that to the nursing home each month.
✓ If the nursing home gives you a notice of involuntary discharge because you haven’t paid, request a mediation and hearing so that you can try to resolve the issues with the nursing home.

Visit the Maryland Legal Aid website at www.mdlab.org for more information.

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This brochure was prepared by the Maryland Legal Aid Bureau, Inc. (“Legal Aid”), a non-profit organization dedicated to providing high quality legal advocacy to protect and advance human rights for individuals, families, and communities.

**Long Term Care Assistance Project**

Legal Aid’s Long Term Care Assistance Project provides free legal help for low income persons to get the long term health care they need in the setting of their choice, whether that is at home, in the community through assisted living, or in a nursing home.

**We want you to know your rights!**

This brochure is for Maryland residents and contains general information about your rights, but it is not meant to be legal advice. We make every effort to keep this information up to date. However, the law sometimes changes. If you want information about your specific situation, or you have a pending legal case, you should contact Legal Aid or another attorney.

**How can I pay for my nursing home stay?**

There are many ways to pay for care in a nursing home. If you don’t pay the nursing home, you could be discharged. Medicare only covers skilled nursing care for a very limited number of days. You can pay with your own money, which is sometimes called “private pay.” Some health or long term care insurance policies cover care in a nursing home. You may qualify to have Medical Assistance pay for your nursing home care if you do not have another way to pay. This brochure tells you how to avoid involuntary discharge for financial reasons after you apply for Medical Assistance.

**What is Medical Assistance?**

Medical Assistance (also called “Medicaid”) is a state and federal government program that helps pay for medical services for low income individuals. The Department of Health and Mental Hygiene (“DHMH”) runs Medical Assistance in Maryland. They have a special program called Medical Assistance Long Term Care that pays for nursing home care. In this brochure, “Medical Assistance” refers to the Medical Assistance Long Term Care Program.

**Where can I get help or more information?**

- **Long Term Care Assistance Project**
  - Maryland Legal Aid
  - 1-800-367-7563
  - www.mdlab.org

- **Long Term Care Ombudsman Office**
  - 1-800-243-3425

- **Lawyer Referral Service**
  - For your county, contact the Maryland State Bar Association at 1-800-492-1964
  - www.msba.org/public/referral.htm

- **Maryland Department of Health and Mental Hygiene**
  - 1-800-492-5231 or 410-767-5800
  - www.dhmh.maryland.gov

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