

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1305

H. P. 1054

House of Representatives, March 19, 1979

On Motion of Mrs. Prescott of Hampden, referred to the Committee on Health and Institutional Services. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. D. Dutremble of Biddeford.

Cosponsors: Mr. Rolde of York and Mr. Matthews of Caribou.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Permit a Resident of an Intermediate Care Facility who Receives Aid for the Medically Needy to Give at Least \$250 a Month from His Income to a Dependent Spouse.

Be it enacted by the People of the State of Maine, as follows:

22 MRSA § 3174, as last amended by PL 1977, c. 714, § 3, is further amended by adding after the 4th paragraph, which begins with the words "The application of any available," a new paragraph to read:

If a recipient of assistance under this chapter who resides in an intermediate care facility has a spouse dependent on that recipient for support, the department shall permit the recipient to transfer at least \$250 a month, or \$3,000 a year, from his income to that spouse.

STATEMENT OF FACT

This bill permits a person who lives in an intermediate care facility such as a nursing home, and who receives aid for the medically needy, to turn over to a dependent spouse at least \$250 a month, or \$3,000 a year, to that dependent spouse. At the present time, a recipient of aid to the medically needy who resides in a

nursing home is permitted to give a dependent spouse no more than \$187.80 monthly of his income. This figure is clearly insufficient to support a dependent spouse and forces the spouse to seek state or federal assistance.

This bill, by providing that a recipient may turn over at least \$250 monthly of his income to his spouse, will perhaps enable that spouse to stay off state or federal assistance, while enabling the recipient to stay in the intermediate care facility and receive the medical care he needs.