

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

STATE/TERRITORY: DELAWARE

Spousal Post Eligibility

~~3. State uses the post-eligibility rules of Section 1924 of the Act (spousal impoverishment protection) to determine the individual's contribution toward the cost of PACE services if it determines the individual's eligibility under section 1924 of the Act. There shall be deducted from the individual's monthly income a personal needs allowance (as specified below), and a community spouse's allowance, a family allowance, and an amount for incurred expenses for medical or remedial care, as specified in the State Medicaid plan.~~

(a.) Allowances for the needs of the:

1. Individual (check one)

(A) _____ The following standard included under the State plan

(check one):

- 1. _____ SSI
- 2. _____ Medically Needy
- 3. _____ The special income level for the institutionalized
- 4. _____ Percent of the Federal Poverty Level: _____%
- 5. _____ Other (specify): _____

(B) _____ The following dollar amount: \$. _____

Note: If this amount changes, this item will be revised.

(C) _____ The following formula is used to determine the needs allowance:

If this amount is different than the amount used for the individual's maintenance allowance under 42 CFR 435.726 or 42 CFR 435.735, explain why you believe that this amount is reasonable to meet the individual's maintenance needs in the community:

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