

OSIPM

COUPLES AND
LONG-TERM SERVICES



Independent. Healthy. Safe.

Oregon Supplemental Income Program - Medical (OSIPM): Couples and Long-Term Services

OSIPM is a Medicaid program administered by the Oregon Department of Human Services. OSIPM provides medical coverage and long-term services for people with low income or high long-term services expenses. For married couples, OSIPM allows one spouse to become eligible for OSIPM benefits without the other spouse becoming impoverished.

If one spouse needs long-term services, OSIPM allows the other spouse to keep some of the joint resources. This spouse is called the community spouse. Resources are such things as bank accounts, stocks and bonds, vehicles and property.

This resource allowance only applies when a spouse needs long-term services. This means he or she needs help with some of the following activities of daily living:

- Bathing/personal hygiene;
- Dressing/grooming;
- Mobility, ambulation and transferring;
- Feeding and assistance with eating;
- Elimination assistance: toileting, bowel and bladder; and
- Cognition, including assistance with any confusion or behaviors.

Long-term services are provided in settings such as:

- Your own home,
- Adult foster home,
- Residential care facility,
- Assisted living facility, and
- Nursing facility.

Couples can ask for a resource assessment (a determination of the amount of resources each of you would be allowed to keep) for planning purposes. You can request this assessment well in advance of your actual application for OSIPM long-term services, or it will be done when you apply.

What makes a spouse eligible for OSIPM long-term services?

A spouse may be eligible for OSIPM long-term services if he or she:

- Needs the long-term services described above,
- Has no more than \$2,000 in countable resources, and
- Has not made unauthorized resource transfers in order to qualify.

Who decides if OSIPM will cover long-term services for a spouse?

DHS will determine if the spouse needing services meets the OSIPM criteria.

What income can each of us keep?

The OSIPM-qualified spouse is required to contribute to the cost of services. Before contributing, that spouse is allowed to keep the following from his or her income:

- An allowance for personal needs: \$30 for nursing facility clients and \$152 for other clients;
- For those not in a nursing facility, \$523.70 for room and board or food and shelter;
- Money provided to the community spouse and dependents to meet the calculated monthly income need (see below); and
- Medical and remedial expenses not paid by OSIPM or a third party.

The remaining income, if any, must be paid toward the cost of services.

The community spouse can keep his or her own income. DHS calculates the community spouse's monthly income need from \$1,822 to \$2,739. The community spouse may get to keep some of the OSIPM spouse's income if the community spouse does not have enough to meet this need.

What resources can each of us keep?

You must complete a resource assessment form at the local office serving seniors and people with disabilities. You will have to list and verify the value of all your joint resources at the time one spouse began receiving long-term services and at the time you apply for OSIPM long-term services.

OSIPM limits the OSIPM spouse's resources to \$2,000.

The community spouse can keep one of the following resource amounts:

- Resources worth at least \$21,912;
- One-half of the total countable resources owned at the time services began if that amount is more than \$21,912 but not more than \$109,560; or
- More than the \$109,560 maximum if your income is very low.

Some resources do not count, including the home in which either spouse lives, a car, a burial plot and a limited burial plan.



What if our joint resources are greater than the amount we can keep?

If your joint resources exceed that amount, the spouse needing services will not be eligible for OSIPM until your resources are equal to or less than that amount.

What if our joint resources are within the limit but the spouse needing services owns more than \$2,000 of our resources?

DHS will calculate the dollar amount of resources the community spouse is allowed to keep. After this calculation is provided, the community spouse must transfer that amount of resources from the spouse needing services to the community spouse in order for the spouse needing services to qualify for OSIPM. Wait for this calculation because transferring resources early could jeopardize the other spouse's eligibility for OSIPM. OSIPM benefits can be paid for up to 90 days while the resource transfers are made. You may need an attorney to help you with the necessary legal documents.

Will DHS recover OSIPM payments from our estate?

Yes, DHS does place claims against estates. Upon the death of the OSIPM spouse, DHS will present a claim against your joint estate (ORS 115.125). However, the claim will not be enforced until after the death of both spouses.

If the OSIPM spouse has a will leaving specific resources to certain persons but the resources have been transferred to the community spouse, will those persons inherit?

No, heirs can only inherit what a person actually owns on the day he or she dies. Your attorney should advise you on this issue.

Do you have legal questions?

If you have legal questions, consult your family attorney, your local Senior Citizen Law Project or the Oregon Bar Association Elder Law Referral Service.

When should we apply for OSIPM?

You might consider applying:

- When one spouse is already receiving long-term services or expects to be within the next two months, or
- When the spouse needing services does not have enough income and/or resources to cover the cost of care.





How to apply

This brochure does not include many specific requirements of OSIPM. For more information about OSIPM or to apply for OSIPM, contact the office serving seniors and people with disabilities in your area. The office will decide if you are eligible within 45 days from the date you ask for help, or 90 days if DHS is deciding if you have a disability.

www.oregon.gov/DHS/spwpd/offices.shtml

Or call:

1-800-282-8096

NOTE: Dollar amounts listed are current as of publication and subject to change without notice.



This document can be provided upon request in alternative formats for individuals with disabilities. Other formats may include (but are not limited to) large print, Braille, audio recordings, Web-based communications and other electronic formats.

E-mail dhs.forms@state.or.us, call 503-378-3486 (voice) or 503-378-3523 (TTY), or fax 503-373-7690 to arrange for the alternative format that will work best for you.