

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: LOUISIANA

SECTION 1924 PROVISIONS

- A. Income and resource eligibility policies used to determine eligibility for institutionalized individuals who have spouses living in the community are consistent with Section 1924.
- B. In the determination of resource eligibility the State resource standard is the maximum spousal resource standard permitted under Section 1924 (c).
- C. An institutionalized spouse who (or whose spouse) has excess resources shall not be found ineligible under Title XIX of the Social Security Act per Section 1924(c)(3)(C), where the State determines that denial of eligibility on the basis of having excess resources would work an undue hardship.
- D. The definition of dependency below is used to define dependent children, parents, and siblings for purposes of deduction allowances under Section 1924.

Dependents are defined as the following persons who may be claimed as a dependent(s) by either member of the couple for income tax purposes under the Internal Revenue Code:

- 1. A couple's minor child(ren) (under the age 18) who live(s) with the community spouse;
 - 2. Parents;
 - 3. Siblings.
- E. The agency will comply with the mandatory provisions under Section 1917 of the Social Security Act as amended by the Deficit Reduction Act of 2005.

STATE	<u>Louisiana</u>	A
DATE REC'D	<u>3-31-06</u>	
DATE AP'N'D	<u>1-8-07</u>	
DATE EFF.	<u>2-8-06</u>	
HCFA 179	<u>06-13</u>	

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