



STATE OF OKLAHOMA  
OKLAHOMA HEALTH CARE AUTHORITY

October 26, 2011

Marcia L. Goff, Research Director  
House of Representatives  
State Capitol Building  
2300 N. Lincoln Boulevard, Room 109  
Oklahoma City, OK 73105-4885

RE: Long Term Care and Senior Services Committee  
Interim Study – 11-105

Dear Marcia:

It was a pleasure to see you at yesterday's committee meeting, and I appreciate the opportunity to provide you with additional information. This information is outlined below.

**1. The number of Oklahomans aged 65 years or older.**

Based on data collected in the 2010 U.S. Census, the number of Oklahomans aged 65 years or older is 503,066. For State Fiscal Year 2011, 66,067 or 13.13% of Oklahomans aged 65 years or older were enrolled in SoonerCare. Census data projects that a total of 70,028 Oklahomans will turn 65 in 2011 (24,410) and 2012 (45,618).

**2. The number of Oklahomans in nursing facilities and the cost.**

In State Fiscal Year 2011, there were 20,642 Oklahomans in nursing facilities. The facilities were paid for 4,788,879 days at a total amount of \$600,206,091.

**3. The dollar equivalent of 100% of FPL and 300% of SSI standard.**

The SoonerCare maximum income standard for individuals 65 years and over (dual eligibles) is equal to 100% of FPL: in 2011, that is \$908 per month for a single individual and \$1,226 for a couple. FPL is adjusted yearly.

For those receiving nursing facility or home and community based services, the income standard is equal to 300% of federal SSI (Supplemental Security Income) payment standard: that is, \$2,022 per month for an individual. If both husband and wife are receiving NF or in home long term care each of the individuals may have monthly income up to \$2,022.

**4. How much monthly income can a couple keep if one of them goes into a nursing home and one remains at home? How much of a couple's resources (assets) can be kept if one of them goes into a nursing facility (NF)? How much is exempt?**

There are many factors that must be considered when answering this question, including to which spouse the income belongs, how long the spouse is expected to stay in the NF, other available assets and whether those are included in the eligibility calculation, whether the community spouse receives ADvantage or other services, whether the community spouse is remaining in the home, etc. Various types of resources are not counted against the resource limit, such as the home in which a community spouse continues to reside.

The community spouse's income is not considered available to the spouse in the NF. In general, the answer is that the spouse in the NF cannot have countable gross income of his/her own in excess of \$2,022 per month in order to be eligible for long term care assistance. It is expected that this income will go toward payment of the average daily cost of nursing home care, which is currently \$125.75, after deductions for a monthly maintenance standard and out-of-pocket medical expenses are subtracted. Maximum resources for the spouse in the NF are limited to \$2,000.

In general, if the spouse in the NF has income in excess of \$2,022 per month, and the community spouse has gross monthly income less than \$2,739, the excess income over \$2,022 can be deemed to the community spouse in the amount that brings the community spouse's gross income up to \$2,739. The maximum resource standard for the community spouse is \$109,560.

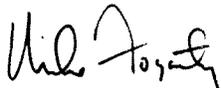
#### **5. Miller Trust**

A Miller Trust, also known as a Medicaid Income Pension Trust, is a method to allow an individual to qualify for Medicaid long term care benefits when his or her income is in excess of the established maximum income of \$2,022 per month.

An individual whose monthly income is between \$2,022 and \$3,000 who meets all other qualifications of eligibility may establish a Miller Trust to qualify for Medicaid. The proceeds from the trust are given to the state to help offset the individual's medical cost after the person becomes deceased.

Please feel free to call should you have questions or need additional information.

Sincerely,



Mike Fogarty  
Chief Executive Officer