

**This is an emergency amendment to 8.200.510 NMAC, Sections 11, 12, 13 and 15, effective 4/1/2022.**

**8.200.510.11 COMMUNITY SPOUSE RESOURCE ALLOWANCE (CSRA):** The CSRA standard varies based on when the applicant or recipient become institutionalized for a continuous period. The CSRA remains constant even if it was calculated prior to submission of a formal MAP application. If institutionalization began:

**A.** Between September 30, 1989 and December 31, 1989, the state maximum CSRA is \$30,000 and the federal maximum CSRA is \$60,000.

**B.** On or after January 1, 1990, the state minimum is \$31,290 and the federal maximum CSRA is \$62,580.

**C.** On or after January 1, 1991, the state minimum is \$31,290 and the federal maximum CSRA is \$66,480.

**D.** On or before January 1, 1992, the state minimum is \$31,290 and the federal maximum CSRA is \$68,700.

**E.** On or after January 1, 1993, the state minimum is \$31,290 and the federal maximum CSRA is \$70,740.

**F.** On or after January 1, 1994, the state minimum is \$31,290 and the federal maximum CSRA is \$72,660.

**G.** On or after January 1, 1995, the state minimum is \$31,290 and the federal maximum CSRA is \$74,820.

**H.** On or after January 1, 1996, the state minimum is \$31,290 and the federal maximum CSRA is \$76,740.

**I.** On or after January 1, 1997, the state minimum is \$31,290 and the federal maximum CSRA is \$79,020.

**J.** On or after January 1, 1998, the state minimum is \$31,290 and the federal maximum CSRA is \$80,760.

**K.** On or after January 1, 1999, the state minimum is \$31,290 and the federal maximum CSRA is \$81,960.

**L.** On or after January 1, 2000, the state minimum is \$31,290 and the federal maximum CSRA is \$84,120.

**M.** On or after January 1, 2001, the state minimum is \$31,290 and the federal maximum CSRA is \$87,000.

**N.** On or after January 1, 2002, the state minimum is \$31,290 and the federal maximum CSRA is \$89,280.

**O.** On or after January 1, 2003, the state minimum is \$31,290 and the federal maximum CSRA is \$90,660.

**P.** On or after January 1, 2004, the state minimum is \$31,290 and the federal maximum CSRA is \$92,760.

**Q.** On or after January 1, 2005, the state minimum is \$31,290 and the federal maximum CSRA is \$95,100.

**R.** On or after January 1, 2006, the state minimum is \$31,290 and the federal maximum CSRA is \$99,540.

**S.** On or after January 1, 2007, the state minimum is \$31,290 and the federal maximum CSRA is \$101,640.

**T.** On or after January 1, 2008, the state minimum is \$31,290 and the federal maximum CSRA is \$104,400.

**U.** On or after January 1, 2009, the state minimum is \$31,290 and the federal maximum CSRA is \$109,560.

**V.** On or after January 1, 2010, the state minimum is \$31,290 and the federal maximum CSRA remains \$109,560.

**W.** On or after January 1, 2011, the state minimum is \$31,290 and the federal maximum CSRA remains \$109,560.

**X.** On or after January 1, 2012, the state minimum is \$31,290 and the federal maximum CSRA is \$113,640.

- Y.** On or after January 1, 2013, the state minimum is \$31,290 and the federal maximum CSRA is \$115,920.
- Z.** On or after January 1, 2014, the state minimum is \$31,290 and the federal maximum CSRA is \$117,240.
- AA.** On or after January 1, 2015, the state minimum is \$31,290 and the federal maximum CSRA is \$119,220.
- BB.** On or after January 1, 2016, the state minimum is \$31,290 and the federal maximum CSRA is \$119,220.
- CC.** On or after January 1, 2017, the state minimum is \$31,290 and the federal maximum CSRA is \$120,900.
- DD.** On or after January 1, 2018, the state minimum is \$31,290 and the federal maximum CSRA is \$123,600.
- EE.** On or after January 1, 2019, the state minimum is \$31,290 and the federal maximum CSRA is \$126,420.
- FF.** On or after January 1, 2020, the state minimum is \$31,290 and the federal maximum CSRA is \$128,640.
- GG.** On or after January 1, 2021, the state minimum is \$31,290 and the federal maximum CSRA is \$130,380.
- HH.** On or after January 1, 2022, the state minimum is \$31,290 and the federal maximum CSRA is \$137,400.

[8.200.510.11 NMAC - Rp, 8.200.510.11 NMAC, 7/1/2015; A/E, 1/1/2016; A/E, 3/1/2017; A/E, 8/30/2018; A/E, 4/11/2019; A, 7/30/2019; A/E, 8/11/2020; A, 12/15/2020; A/E, 4/1/2021; A, 9/1/2021; A/E, 4/1/2022]

**8.200.510.12 POST-ELIGIBILITY CALCULATION (MEDICAL CARE CREDIT):** Apply applicable deductions in the order listed below when determining the medical care credit for an institutionalized spouse.

- | <b>DEDUCTION</b>   | <b>AMOUNT</b>   |
|--|---|
| <b>A.</b> Personal needs allowance for institutionalized spouse:<br><u>[July 1, 2020] July 1, 2021</u>   | <u>[\$76] \$78</u>                                      |
| <b>B.</b> Minimum monthly maintenance needs allowance (MMMNA):<br><u>[July 1, 2020] July 1, 2021</u>   | <u>[\$2,155] \$2,178</u>                                |
| <b>C.</b> The community spouse monthly income allowance (CSMIA) is calculated by subtracting the community spouse's gross income from the MMMNA:   |   |
| <b>(1)</b> If allowable shelter expenses of the community spouse exceeds the minimum allowance then deduct an excess shelter allowance from community spouse's income that includes: expenses for rent; mortgage (including interest and principal); taxes and insurance; any maintenance charge for a condominium or cooperative; and an amount for utilities (if not part of maintenance charge above); use the standard utility allowance (SUA) deduction used in the food stamp program for the utility allowance. |   |
|  | <u>[July 1, 2020] July 1, 2021</u> <u>[\$646] \$653</u> |
| <b>(2)</b> Excess shelter allowance may not exceed the maximum:  |   |
| <b>(a)</b> Jan. 1, 2022  | <u>\$1,257</u>  |
| <b>(b)</b> Jan. 1, 2021  | <u>\$1,105</u>  |
| <b>(c)</b> July 1, 2020  | <u>\$1,062</u>  |
| <b>(d)</b> Jan. 1, 2020  | <u>\$1,103</u>  |
| <b>(e)</b> July 1, 2019  | <u>\$1,047</u>  |
| <b>D.</b> Any extra maintenance allowance ordered by a court of jurisdiction or a state administrative hearing officer.  |   |
| <b>E.</b> Dependent family member income allowance (if applicable) calculated as follows: 1/3 X MMMNA - dependent member's income).  |   |
| <b>F.</b> Non-covered medical expenses.  |   |
| <b>G.</b> The maximum total of the community spouse monthly income allowance and excess shelter deduction may not exceed <u>[\$3,260] \$3,435.</u>   |   |

[8.200.510.12 NMAC - Rp, 8.200.510.12 NMAC, 7/1/2015; A/E, 3/1/2017; A/E, 8/30/2018; A/E, 4/11/2019; A, 7/30/2019; A/E, 1/16/2020; A/E, 8/11/2020; A, 12/15/2020; A/E, 4/1/2021; A, 9/1/2021; A/E, 4/1/2022]

**8.200.510.13 AVERAGE MONTHLY COST OF NURSING FACILITIES FOR PRIVATE PATIENTS USED IN TRANSFER OF ASSET PROVISIONS:** Costs of care are based on the date of application registration.

	<b>DATE</b>	<b>AVERAGE COST PER MONTH</b>
<b>A.</b>	July 1, 1988 - Dec. 31, 1989	\$1,726 per month
<b>B.</b>	Jan. 1, 1990 - Dec. 31, 1991	\$2,004 per month
<b>C.</b>	Jan. 1, 1992 - Dec. 31, 1992	\$2,217 per month
<b>D.</b>	Effective July 1, 1993, for application register on or after Jan. 1, 1993	\$2,377 per month
<b>E.</b>	Jan. 1, 1994 - Dec. 31, 1994	\$2,513 per month
<b>F.</b>	Jan. 1, 1995 - Dec. 31, 1995	\$2,592 per month
<b>G.</b>	Jan. 1, 1996 - Dec. 31, 1996	\$2,738 per month
<b>H.</b>	Jan. 1, 1997 - Dec. 31, 1997	\$2,889 per month
<b>I.</b>	Jan. 1, 1998 - Dec. 31, 1998	\$3,119 per month
<b>J.</b>	Jan. 1, 1999 - Dec. 31, 1999	\$3,429 per month
<b>K.</b>	Jan. 1, 2000 - Dec. 31, 2000	\$3,494 per month
<b>L.</b>	Jan. 1, 2001 - Dec. 31, 2001	\$3,550 per month
<b>M.</b>	Jan. 1, 2002 - Dec. 31, 2002	\$3,643 per month
<b>N.</b>	Jan. 1, 2003 - Dec. 31, 2003	\$4,188 per month
<b>O.</b>	Jan. 1, 2004 - Dec. 31, 2004	\$3,899 per month
<b>P.</b>	Jan. 1, 2005 - Dec. 31, 2005	\$4,277 per month
<b>Q.</b>	Jan. 1, 2006 - Dec. 31, 2006	\$4,541 per month
<b>R.</b>	Jan. 1, 2007 - Dec. 31, 2007	\$4,551 per month
<b>S.</b>	Jan. 1, 2008 - Dec. 31, 2008	\$4,821 per month
<b>T.</b>	Jan. 1, 2009 - Dec. 31, 2009	\$5,037 per month
<b>U.</b>	Jan. 1, 2010 - Dec. 31, 2010	\$5,269 per month
<b>V.</b>	Jan. 1, 2011 - Dec. 31, 2011	\$5,774 per month
<b>W.</b>	Jan. 1, 2012 - Dec. 31, 2012	\$6,015 per month
<b>X.</b>	Jan. 1, 2013 - Dec. 31, 2013	\$6,291 per month
<b>Y.</b>	Jan. 1, 2014 - Dec. 31, 2014	\$6,229 per month
<b>Z.</b>	Jan. 1, 2015 - Dec. 31, 2015	\$6,659 per month
<b>AA.</b>	Jan. 1, 2016 - Dec. 31, 2016	\$7,786 per month
<b>BB.</b>	Jan. 1, 2017 - Dec. 31, 2017	\$7,485 per month
<b>CC.</b>	Jan. 1, 2018 - Dec. 31, 2018	\$7,025 per month
<b>DD.</b>	Jan. 1, 2019 - Dec. 31, 2019	\$7,285 per month
<b>EE.</b>	Jan. 1, 2020 - Dec. 31, 2020	\$7,480 per month
<b>FF.</b>	Jan. 1, 2021 - Dec. 31, 2021	\$7,590 per month
<b>GG.</b>	Jan. 1, 2022 -	<u>\$7,811 per month</u>

[8.200.510.13 NMAC - Rp, 8.200.510.13 NMAC, 7/1/2015; A/E, 1/1/2016; A/E, 3/1/2017; A/E, 8/30/2018; A/E, 4/11/2019; A, 7/30/2019; A/E, 8/11/2020; A, 12/15/2020; A/E, 4/1/2021; A, 9/1/2021; A/E, 4/1/2022]

**8.200.510.15 EXCESS HOME EQUITY AMOUNT FOR LONG-TERM CARE SERVICES:**

<b><u>A.</u></b>	<u>Jan. 2022</u>	<u>\$636,000</u>
<b><del>[A.]</del> <u>B.</u></b>	Jan. 2021	\$603,000
<b><del>[B.]</del> <u>C.</u></b>	Jan. 2020	\$595,000
<b><del>[C.]</del> <u>D.</u></b>	Jan. 2019	\$585,000
<b><del>[D.]</del> <u>E.</u></b>	Jan. 2018	\$572,000
<b><del>[E.]</del> <u>F.</u></b>	Oct. 2017	\$560,000
<b><del>[F.]</del> <u>G.</u></b>	Jan. 2017	\$840,000
<b><del>[G.]</del> <u>H.</u></b>	Jan. 2016	\$828,000
<b><del>[H.]</del> <u>I.</u></b>	Jan. 2015	\$828,000
<b><del>[I.]</del> <u>J.</u></b>	Jan. 2014	\$814,000
<b><del>[J.]</del> <u>K.</u></b>	Jan. 2013	\$802,000
<b><del>[K.]</del> <u>L.</u></b>	Jan. 2012	\$786,000
<b><del>[L.]</del> <u>M.</u></b>	Jan. 2011	\$758,000
<b><del>[M.]</del> <u>N.</u></b>	Jan. 2010	\$750,000

[8.200.510.15 NMAC - Rp, 8.200.510.15 NMAC, 7/1/2015; A/E, 1/1/2016; A/E, 3/1/2017; A, 3/1/18; A/E, 8/30/2018; A/E, 4/11/2019; A, 7/30/2019; A/E, 8/11/2020; A, 12/15/2020; A/E, 4/1/2021; A, 9/1/2021; A/E, 4/1/2022]