

You are reading this because you received a notice from MassHealth requesting submission of a renewal application. I received a copy of the notice, as well, but my notices never include the forms themselves. You may not have received it, either and, if so, I suggest checking first with the nursing home. If you are still unable to locate a copy of the form, know that it is *not* available on-line, so MassHealth's solution is that you complete a regular application, but write "RENEWAL" on the first page. You can access the regular form at www.katedownes.com.

Even if the at-home spouse's assets are under \$126,420 (2019), federal law prohibits states from re-visiting the at-home spouse's assets after benefits have been approved. In addition, MassHealth representatives have assured elder law attorneys that the at-home spouse does *not* need to report income or assets on the renewal form, unless the at-home spouse thinks that circumstances have changed sufficiently to warrant a larger spousal allowance (such as where the at-home spouse is now in assisted living, but a general increase in daily expenses will likely not be sufficient).

Based upon federal law and the assurance of MassHealth administrative officials, you may elect to complete the renewal form with only the MassHealth member's assets (under \$2,000) and income, leaving the rest of the form blank. You may want to include a note saying something like the following:

Pursuant to Joseph Adams, MassHealth Director of Member Policy Implementation, it is not necessary to include the member spouse's income or assets. Applicant's spouse is not seeking an increased Spousal Allowance.

Here is more information gleaned from MassHealth representatives:

Why has MassHealth issued the Renewal Application?

MassHealth is decommissioning an old eligibility software system and migrating data regarding existing members to a new system. MassHealth was able to sufficiently transfer data for thousands of members, but required additional data from a pool of roughly 4,000 members who have received the orange Renewal Forms. The intent behind the Renewal Application is not to impose new disqualifying transfer penalties and deny coverage to members.

Was the Renewal Application form sent only to members in nursing homes?

No, it was sent to approximately 4,000 members. The members include unmarried individuals in the community or in nursing homes, married individuals in the community, unmarried individuals in nursing homes, and married individuals in a nursing home with a spouse in the community. Of the roughly 4,000 members receiving the Renewal Application, 3,300 are in the community, and 700 in nursing homes.

Where can the Renewal Application form be downloaded?

MassHealth has not uploaded the form to its website and did not indicate it intends to do so. If a member receives a letter from MassHealth requesting that a member complete the Renewal Application, but MassHealth fails to include the form, the member should download the full MassHealth LTC Application (SACA-2) and write at the top "RENEWAL"

in large letters. ALL members receiving MassHealth's letter should have received the form, while the MassHealth notice to the nursing homes included only the letter but not the form.

Do members receiving the letter from MassHealth have to complete this form?

Yes, subject to the limitations noted below.

What information must members list on the form?

MassHealth would like as much information as members can provide on the forms, but the key information MassHealth wants is the member's current assets, income and expenses. You do NOT need to list the Spouse's assets.

You must complete the supplements, but can state that the verification/documentation was previously sent.

If the member is married and the spouse is receiving a spousal maintenance needs allowance (SMNA), then the spouse's current income and home expenses should be listed on the LTC Supplement, so MassHealth can adjust the SMNA appropriately. If the member is confident that any existing SMNA is correct and requires no adjustment, then you do NOT need to list any of the spouse's income/home expenses, and you do NOT need to complete the LTC Supplement.

What about the five-year look back period?

MassHealth says do NOT submit five years of verifications.

Transfers already divulged and resolved or allowed or cured need not be listed. The only relevant transfers, assuming the initial application was answered fully and accurately, would be if the member received new assets (inheritance, lottery winning, etc.) since the original benefit awards date and the member had gifted those assets.

What about trusts?

If MassHealth has already reviewed a trust and approved benefits, you DO NOT need to provide verifications regarding it unless there has been a change in the trust; just indicate it was previously provided and approved.

Who should families turn to for help if they are struggling with how to respond to the Renewal Form?

MassHealth would not provide a contact name who may be contacted for issues. MassHealth is working with Elder Affairs and the Mass Senior Care Association (of nursing homes) to try to help members through this process.

Is MassHealth changing any other eligibility review forms?

Yes, the MER (Rev. 03/13) (10-page form) is being phased out and will move towards a form like the Renewal Application form (SACA 2 - ERV (26-page form)).