

OTHER ELIGIBILITY REQUIREMENTS**SPOUSE**

treatment of the couple's income and resources. See **INCOME PERSONS IN MEDICAL FACILITIES ASSESSMENT/ DETERMINATION OF INCOME AVAILABLE FOR THE COST OF CARE** for the full explanation of the assessment and budgeting of income/resources.

If Medicaid is provided, in the instance of failure or refusal, an implied contract is created with the non-contributing spouse. Recovery of the cost of any care provided may be pursued through legal channels.

Both Spouses Institutionalized

When both spouses are institutionalized they are treated as two separate households, whether or not they share a room.

Institutionalized Waiver Participant with a Community Spouse

When one spouse is a waiver participant and his/her spouse is a community spouse, spousal budgeting rules as specified in **INCOME PERSONS IN MEDICAL FACILITIES BUDGETING FOR INSTITUTIONALIZED SPOUSES IN SPECIFIED HOME AND COMMUNITY BASED WAIVERS (HCBS)** are applied.