



Pathfinders in Elder Law



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Nursing Home Residents May Keep \$250 Stimulus Payment

Just about everyone who gets Social Security, Social Security Disability Insurance (SSDI), Supplemental Security Income (SSI), or a Railroad Retirement or Veterans Administration disability pension, will receive [a one-time payment from the U.S. government](#) of \$250 as part of the American Recovery and Reinvestment Act of 2009 (aka the stimulus bill). The extra payment is scheduled to arrive by the end of May the same way you receive your usual benefit.

Among those receiving the one-time stimulus payment will be long-term care facility residents on Medicaid who draw Social Security benefits. (But note that SSI beneficiaries who live in a nursing home and get a monthly SSI benefit of \$30 are not eligible for the payment.)

Medicaid-eligible long-term care facility residents and their families should know that the stimulus payment is not considered income and will not be counted as a resource for 10 months (including the month of receipt) in calculating benefits under Medicaid (or any other federal program or state program with some federal financing). The \$250 will also not count as gross income for tax purposes.

Recipients can save the payment if they want to, but they should make sure that it will not put their savings over the asset limit for any program benefits they may receive as of February 2010.

Because the \$250 payment will not be counted as income, it will not put a Medicaid-eligible resident over the state's income limit. In addition, a Medicaid nursing facility resident should not see an increase in his or her patient pay for the month the payment is received.

"This money is yours. Your home or facility is not allowed to take it to pay your bill, even if you get help from your state paying for your care," says the National Council on Aging (NCOA) in an [informational handout](#) directed at residents of nursing homes, assisted living facilities and board and care homes. If the nursing home takes your \$250, NCOA advises contacting your [state long-term care ombudsman](#) immediately.

For Social Security's explanation of the payment and Frequently Asked Questions, click [here](#).

For NCOA's page on the payment, click [here](#).

For NCOA's handout for long-term care facility residents, click [here](#). ▲

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Severns & Stinson is an Indianapolis Elder Law firm that helps older adults, persons with disabilities and their families plan for long term care needs, protect assets and get the care they need. For up-to-the-minute information about elder law issues and to sign up for our electronic newsletter, visit our website, www.severns.com.



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