# The Couples Guide to Qualifying for MassHealth

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Whether you're married or single, if you need MassHealth because you need nursing home care or need a lot of care at home, you can always qualify for MassHealth. This month, I'll talk about the rules if you're married. Next month, I will do the rules if you're single.

If you're married and need MassHealth, qualifying can be is easy. While you are not allowed to have more than $2,000 in countable assets (typically meaning money), your spouse can own the home (if you have one) as well as all your personal property, and can have other cash or cash equivalent assets up to $128,640. If you own assets, or own them jointly with your spouse, you may transfer them to your spouse and qualify for MassHealth the very next day. **There is no lookback period regarding transfers to spouses.**

If your spouse has more than $128,640 your spouse can purchase a special kind of annuity, one that calls for equal monthly payments over a term that does not exceed your spouse's actuarial life expectancy at the time the annuity is purchased. The day after your spouse buys the annuity, thereby reducing assets below $128,640, you can qualify for MassHealth. At that point, if you are in a nursing home, usually you will need to pay your social security and pension income to the nursing home, and MassHealth will pay the rest. However, if this results in your spouse's income reducing below a certain amount (typically between $2,500 and $3,000 per month), some of your income can actually be transferred to your spouse to subsidize your spouse's income.

Of course, there is a boatload of other details that go into restructuring

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your assets and qualifying for MassHealth, and you should always talk to an elder law attorney before starting down that road. If you have any questions or would like more information; please feel free to contact me at (508) 860-1470 or abergeron@mirickoconnell.com. Visit Frank and Mary's YouTube channel, www.youtube.com/elderlawfrankandmary and your local cable station during COVID-19, for this virtual seminar, as well as, Frank and Mary's weekly local cable TV shows, where my co-hosts and I address many common issues facing seniors and the resources available during the pandemic.

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