

Sec. 17a-392-5. Eligibility: Income

(a) To be eligible for the program single applicants must have an annual income that does not exceed one hundred fifty percent of the qualifying income level established for PACE for single individuals by Section 17a-343 of the General Statutes, or as may be increased in regulations of the Commissioner on Aging pursuant to that Act.

(b) To be eligible for the program married applicants must have a combined annual income that does not exceed one hundred fifty percent of the qualifying income level established for PACE for married persons by Section 17a-343 of the General Statutes, or as may be increased in regulations of the Commissioner on Aging pursuant to that Act.

(c) 1. Individuals who are legally married but who live separate and apart, pursuant to a legal separation or separate maintenance agreement or because one or both members of the couple is permanently institutionalized, shall be subject to the qualifying income level for single applicants.

2. Amounts received by either spouse as separate maintenance shall be included as that person's income for the purpose of the program.

3. The income of married couples where one or both members reside in an institution will be apportioned to each spouse as it would be under the regulations governing eligibility for benefits under Title XIX of the Social Security Act in Connecticut (Medicaid).

4. The burden of proving qualification under this subsection (c) shall be on the applicant.

(Effective December 17, 1992)