

**Butler, Daniel T.**

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**From:** Butler, Daniel T.  
**Sent:** Wednesday, February 06, 2013 9:01 AM  
**To:** 'Matthew R. Peterson'  
**Subject:** RE: Medicaid Eligibility Question - Same Sex Married Couple

Matt: I checked with our Adult Services Unit and staff confirmed that same sex married couples are regarded the same as heterosexual married couples. Rules for income and assets are exactly the same. The Adult Services Unit is working on a Program Information Bulletin on the topic, but the bulletin is in draft form and has not been distributed to DSS staff.

Dan

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**From:** Matthew R. Peterson [<mailto:MPeterson@carmodylaw.com>]  
**Sent:** Tuesday, February 05, 2013 2:57 PM  
**To:** Butler, Daniel T.  
**Subject:** Medicaid Eligibility Question - Same Sex Married Couple

Dear Dan:

As we discussed on the phone, I'm hoping to confirm that it is current Department policy to treat same sex married couples the same as heterosexual couples with regard to the T19 qualification, in particular the asset and income limitations. That is, should either spouse required T19 benefits, an assessment of combined spousal assets will first be completed. Where necessary, a spend down of excess assets will be required regardless of title ownership.

I appreciate your assistance in trying to confirm my understanding.

Thank you, Matt

**Matthew R. Peterson** | [Bio](#)  
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