



House of Representatives

General Assembly

File No. 94

February Session, 2026

House Bill No. 5301

House of Representatives, March 19, 2026

The Committee on Aging reported through REP. GARIBAY of the 60th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT EXCLUDING SPOUSAL INCOME FROM CERTAIN RENT, FEE AND COST-SHARING CALCULATIONS RELATING TO HOME AND COMMUNITY-BASED SERVICES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective October 1, 2026*) To the extent permissible
2 under federal law, the Commissioner of Social Services shall seek a
3 federal Medicaid waiver or amend the Medicaid state plan, as necessary,
4 to disregard from income eligibility determinations any income earned
5 by a person who provides more than twenty-five per cent of daily care
6 for such person's spouse, who has applied for or is receiving services
7 under a Medicaid waiver program providing home and community-
8 based services.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2026</i>	New section
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AGE Joint Favorable

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 27 \$	FY 28 \$
Social Services, Dept.	GF - Potential Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill results in a potential cost to the Department of Social Services (DSS) by requiring the agency to disregard earned income for spousal caregivers who provide at least 25% of daily care for partners receiving Medicaid-funded home- and community-based services (HCBS).

Currently, when someone applies for HCBS under a Medicaid waiver, DSS does not consider the applicant spouse's income when determining eligibility for the program.

However, to the extent DSS determines that an individual must contribute to their cost of care once eligible, the state may incur a potential cost related to an increased Community Spouse Allowance (CSA) deduction because of not counting the spouse's income in the calculation.

The cost to the state is dependent upon 1) how many HCBS individuals must contribute to their cost of care, and 2) how many of these individuals have spouses who provide at least 25% of their daily care.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation and shifts in Medicaid enrollment.

OLR Bill Analysis

HB 5301

AN ACT EXCLUDING SPOUSAL INCOME FROM CERTAIN RENT, FEE AND COST-SHARING CALCULATIONS RELATING TO HOME AND COMMUNITY-BASED SERVICES.

SUMMARY

This bill requires the Department of Social Services (DSS) commissioner to seek a federal Medicaid waiver or amend the state Medicaid plan to exclude from any income-based eligibility determinations income earned by a person who provides more than 25% of daily care for his or her spouse, if that spouse has applied for or is receiving home and community-based services under a Medicaid waiver program.

The bill specifies the commissioner must only do so if allowed by federal law and to the extent a waiver or amendment is needed. Currently, when someone receives home- and community-based services under a Medicaid waiver, DSS does not consider the person’s spouse’s income available for the person’s care (Uniform Policy Manual (UPM) 5020.75).

EFFECTIVE DATE: October 1, 2026

COMMITTEE ACTION

Aging Committee

Joint Favorable

Yea 14 Nay 0 (03/05/2026)