

RESOURCES

TRANSFER OF ASSETS

for the past 60* months is not required for requests of increased coverage for nursing facility services.

* The look-back period increases each month by one-month increments beginning 3/1/09 until February 2011. Effective February 1, 2011, the full 60 month look-back period will be in place.

The transfer of assets rules do not apply to persons whose eligibility is determined without a resource test. Effective for eligibility periods beginning on or after January 1, 2010 FHPlus and non-SSI-related Medicaid A/Rs will not have resources considered in determining eligibility. This change includes the following Medicaid categories: Singles/Childless Couples (S/CC), Low Income Families (LIF), ADC-related (including adults who spend down excess income to the Medicaid income level), children under 21 years of age when comparing income to the Medicaid income level (Under age 21), and parents living with their dependent child(ren) under age 21 with income at or below the Medicaid income level (FNP Parents).

In determining eligibility, resources are never considered for pregnant women and infants under one year of age. Resources are also not considered for children over age one but under age 19.

In addition, there is no resource test for applicants for the Family Planning Benefit Program, Medicaid Cancer Treatment Program, the Medicare Savings Program including the Qualified Individual Program (QI), Qualified Medicare Beneficiaries (QMB) and Specified Low Income Medicare Beneficiaries (SLIMB), AIDS Health Insurance Program (AHIP) and policy holders who have utilized the minimum required benefits under a total asset Partnership for Long-Term Care insurance policy. (See **RESOURCES** NEW YORK STATE PARTNERSHIP FOR LONG-TERM CARE)

Transfer of assets provisions do not apply to individuals applying for or receiving coverage for HCBS waiver services.

References: SSL Sect. 104-a
366
366.5
366-a(2)
366-c
366-ee

Chapter Laws 109 of the Laws of 2006