

**TRANSITION POLICY FOR IN-HOME HEALTH SERVICES & SUPPLIES**  
**MA-2241 – TRANSITION POLICY FOR IN-HOME HEALTH SERVICES & SUPPLIES**  
**REVISED 02/01/08 – CHANGE NO 07-08**

**I. Introduction**

Assets transferred on or after November 1, 2007, may result in a penalty period for an individual's eligibility for in-home health services and supplies only if the sanction period is first applied to the individual due to institutionalization or the request for CAP or PACE services. For the period from November 1, 2007 to November 1, 2010, individuals in PLA who receive in-home health services and supplies may have transferred resources prior to November 1, 2007. It is possible that these transfers occurred during part of the lookback period. However, they are subject to the transfer policy prior to November 1, 2007, where a transfer of resources penalty is applied to an a/r receiving in-home health services whether or not he had been sanctioned for institutionalization or CAP or PACE services. Until November 1, 2010, look to see if a transfer occurred prior to November 1, 2007.

**II. Evaluation of Transfers of Resources for Purposes of Eligibility for In-Home Health Services and Supplies from November 1, 2007 through October 31, 2010**

**A. Determine if a transfer occurred during the 3 years prior to the individual's first application date on or after February 1, 2003 and prior to November 1, 2007 when:**

1. A person applies for PLA Medicaid or
2. The county receives a report that a claim for in-home health care and supplies has been received and the assets transfer tracking screen does not indicate that there has been a transfer determination. This should primarily be for SSI recipients.

**B. If no transfer occurred during the period described in II.A., enter an "N" on the assets transfer tracking screen.**

**C. If a transfer occurred during the period described in II.A., determine if a sanction period applies.**

1. Application

If the transfer of assets determination is made as part of an application, no timely notice is required prior to beginning the penalty period. The sanction begin date is the first day of the month of transfer.

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(II.C.)

2. Ongoing

If the transfer of resources determination is made on an ongoing case, use a timely notice prior to the beginning of the penalty period. The sanction period begins with the month of transfer. However, the sanction cannot be imposed until the first day of the month following the expiration of the timely notice period. Evaluate for overpayment.

3. Assets transfer screen

- a. If a transfer occurred and a sanction period resulted, enter a “Y” and the sanction period on the assets transfer tracking screen.
- b. If a transfer did not occur or did occur and no sanction resulted, enter an “N” on the assets transfer tracking screen.

**D. Except for indefinite sanctions, any sanction period continues through the end date even if the end date is after 11/1/2010.**

**III. The week-end of November 3, 2007, EIS changed sanction periods ending 12/9999 to an ending date of 11/30/2010 for those recipients who did not respond.**

If the recipient does not respond, assume he transferred an asset.

**IV. Transfers Occurring on or After November 1, 2007**

Evaluate transfers occurring prior to the starting point, but on or after November 1, 2007, according to policy effective November 1, 2007. (Refer to [MA-2240, Transfer of Assets.](#))

**A. Transfers occurring on or after November 1, 2007 are subject to a look back period with a starting point that is when the both of the following have occurred:**

1. The individual is institutionalized or requested CAP or PACE, and
2. The individual has applied for Medicaid.

**B. Sanction period**

1. Any penalty period resulting from a transfer of assets occurring November 1, 2007, or later cannot begin until after any sanction period resulting from a transfer prior to November 1, 2007 has expired.
2. Transfers occurring on or after November 1, 2007, can trigger a sanction period for in-home health services and supplies only if the individual has first been penalized as a result of being institutionalized, approved for CAP or requests PACE.