

***Major Differences Between Special Assistance
and Medicaid Transfer of Resources Policy
Effective November 1, 2002***

POLICY	SPECIAL ASSISTANCE	MEDICAID
Applicable to Resources Transferred By:	Applicant or legal representative. (Budget unit of 1, no spousal financial responsibility)	Applicant, <u>spouse</u> or legal representative. (Spouse for spouse financial responsibility)
Lookback Date	36 months prior to <u>date of application</u> No earlier than 11/1/02	36 months prior to <u>month of application or institutionalization, whichever is later</u> ; 60 months for transfers to trusts
Benefits Affected	Ineligible for any Special Assistance benefits during sanction period	Ineligible LTC/CAP (PCS after 2/02); does not apply to PLA
Homesite Transfers <ul style="list-style-type: none"> • Homesite Definition • Homesite Transfers To: • Child who lived in the home with a/r for at least 2 yrs and provided care, or • Sibling with ownership interest who lived in the home for at least 1 yr, • <u>Prior to institutionalization</u> 	<p>Definition: The one dwelling and contiguous property which the a/r considers his established or principal home, to which he states his intent to return or which is the home of his spouse or dependent relative.</p> <p>Not an allowable transfer for SA if child/sibling lived with a/r immediately prior to admission to domiciliary care level. Could be allowable for SA if a/r goes from home to nursing home to ACH.</p>	<p>Definition: Property in which a/r or financially responsible person has ownership interest, used as principal place of residence by a/r, spouse, dependent relative, to which he intends to return, during the lookback period</p> <p>Allowable transfer if the child/sibling lived with the a/r immediately prior to institutionalization. <u>Institutionalization is defined as nursing home or medical facility billing at nursing home level.</u></p>

POLICY	SPECIAL ASSISTANCE	MEDICAID
<p>Non-Homesite Transfers</p> <ul style="list-style-type: none"> • Trusts • Transfers to A Spouse (Other Than Homesite) • Tenancy-in-Common Property • Life Estate • Transfer of Income Producing Non-Homesite Property 	<p>Transfers to a trust/annuity for “sole benefit” of a disabled/ blind child or any other disabled/ blind person under age 65 are allowable; <u>no specific requirements for disbursal within expected lifetime of grantee</u></p> <p>Subject to sanction if the resource is countable to a/r; budget unit is always 1</p> <p>Subject to sanction</p> <p>Subject to sanction</p> <p>Subject to sanction</p>	<p>Transfers to a trust/annuity for “sole benefit” of a disabled/ blind child or any other disabled/blind person under age 65 are allowable; funds <u>must be disbursed within expected lifetime of grantee</u></p> <p>Always allowable</p> <p>Subject to sanction eff. 12/02</p> <p>Allowable</p> <p>Subject to sanction eff. 12/02</p>
<p>Sanction Period</p>	<p>Begins <u>month after month of transfer</u></p> <p>Monthly cost of care used to determine sanction = <u>\$2,000</u></p> <p>Maximum sanction = 36 mos</p> <p>If resource returned after sanction imposed, sanction is lifted the month after resource is returned</p>	<p>Begins <u>month of transfer</u></p> <p>Monthly cost of care used to determine sanction = <u>\$4,200</u></p> <p>No maximum sanction</p> <p>If resource returned after sanction imposed, sanction is erased all the way back, but the resource is countable for entire period</p>
<p>Hardship</p>	<p>If SSI eligible under SSI hardship provision, can be eligible for SA; no hardship provision for non-SSI recipients</p>	<p>No hardship provision</p>