



MEDICAID ELIGIBILITY MANUAL TRANSMITTAL LETTER NO. 148

To: All Medicaid Eligibility Manual Holders

From: Barbara R. Sears, Director

Subject: Medicaid: long-term care (LTC) – transfer of assets

This MEMTL contains two rescinded rules, two new rules, and four amended rules from Chapter 5160:1-3 of the Administrative Code, adopted under section 111.15 of the Revised Code.

The effective date of the rules is September 1, 2017.

Chapter 5160:1-3 Medicaid for the Aged, Blind, or Disabled (ABD)

5160:1-3-05.2 Medicaid: trusts

This rule was rescinded and made new to remove the definition of “baseline date” and removed language related to long-term care services and transfer of assets which are found in new rule 5160:1-6-06.2.

5160:1-3-05.3 Medicaid: annuities

This rule was rescinded and made new to remove definitions of “community spouse”, “institutionalized”, and “spouse” and removed language related to long-term care services and transfer of assets which are found in new rule 5160:1-6-06.1.

5160:1-3-05.5 Medicaid: promissory notes, property agreements, and loans

This rule was rescinded and made new to remove definitions of “assets” and “look back period” and removed language related to long-term care services and transfer of assets which are found in new rule 5160:1-6-06.5.

5160:1-3-05.17 Medicaid: life estates and life leases

This rule was rescinded and made new to remove “life lease from the title, removed definitions of “life lease” and “look back periods”, removed language on life leases, and removed language related to long-term care services and transfer of assets which are found in new rule 5160:1-6-06.3.

5160:1-3-07.1 Medicaid: social security administration reporting alleged transfer of resources by supplemental security income (SSI) applicants to the Ohio department of medicaid (ODM)

This rule was rescinded and language is found in new rule 5160:1-6-07.7.

5160:1-3-07.2 Medicaid: transfer of resources

This rule was rescinded and language is found in new rule 5160:1-6-06.

5160:1-3-07.3 Medicaid: disposal of resources for Ohio department of developmental disabilities and/or Ohio department of mental health and addiction services individuals

This rule was rescinded and language is found in new rule 5160:1-6-06.8.

Chapter 5160:1-6 Long-Term Care

5160:1-6-06 Medicaid: transfer of assets

This new rule describes the treatment of assets when an institutionalized individual is requesting Medicaid payment for long-term care services.

5160:1-6-06.1 Medicaid: treatment of annuity purchases and transactions

This new rule describes the treatment of annuities when an individual is requesting Medicaid payment for long-term care services.

5160:1-6-06.2 Medicaid: treatment of transfers involving a trust

This new rule describes when transfers involving a trust are considered improper and subject to a restricted Medicaid coverage period when an individual is institutionalized and requesting Medicaid payment for long-term care services.

5160:1-6-06.3 Medicaid: transfers involving life estates

This new rule describes the treatment of transfers involving life estates when an individual is institutionalized and requesting Medicaid payment for long-term care services.

5160:1-6-06.4 Medicaid: transfers involving promissory notes, property agreements, and loans

This new rule describes the treatment of transfers involving promissory notes, property agreements, and loans when an institutionalized individual is requesting Medicaid payment for long-term care services.

5160:1-6-06.5 Medicaid: restricted medicaid coverage period

This new rule describes how to calculate and apply a restricted medicaid coverage period when an institutionalized individual improperly transfers assets.

5160:1-6-06.6 Medicaid: undue hardship exemption

This new rule describes the undue hardship exemption for institutionalized individuals requesting Medicaid payment for long-term care services who are subject to a restricted medicaid coverage period.

5160:1-6-06.7 Medicaid: allegations of asset transfers by the social security administration

This new rule describes the social security administration's (SSA) reporting requirements to ODM of alleged transfer of assets by SSI applicants.

5160:1-6-06.8 Medicaid: disposal of assets of individuals receiving services from the Ohio department of developmental disabilities and/or Ohio department of mental health and addiction services

This new rule describes the treatment of disposal of assets of individuals receiving services from the Ohio department of developmental disabilities and/or Ohio department of mental health and addiction services.

The information is also available online at www.medicaid.ohio.gov.