

Starting Soon...

PART 1:
***Home Care Applications,
Financial Eligibility***

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Welcome

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- ▶ Type Questions in the Q&A Section at the Bottom of Your Screen
- ▶ Presentation is Posted:
Pierrolaw.com/Resources Under Medicaid Planning
- ▶ Fill Out Our Survey with Feedback





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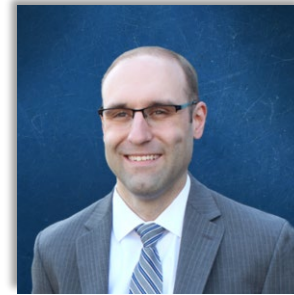
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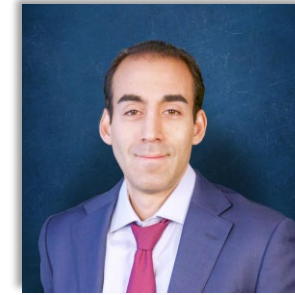
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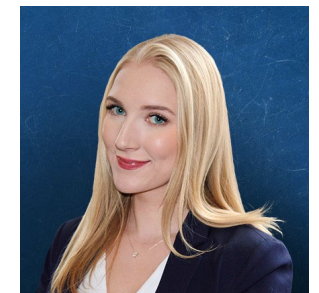
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Agenda

- Recap: Eligibility Numbers for 2024
- Financial Eligibility for Home Care
- Medical Eligibility for Home Care
- Steps to Complete a Home Care Medicaid Application
- Differences Between Home Care Applications and Nursing Home Applications



NEW 2024 MEDICAID ELIGIBILITY NUMBERS

Monthly Income

	2024	2023	Difference
Individual (at home)	\$1,732 +\$20	\$1,677 +\$20	\$ 55
Couple (both at home)	\$2,351 +\$20	\$2,268 +\$20	\$ 83
Community Spouse Income Allowance	\$3,853.50	\$3,715.50	+\$138
Institutionalized Spouse Income Allowance	\$ 50		

NEW 2024 MEDICAID ELIGIBILITY NUMBERS

Resources			
	2024	2023	Difference
Individual	\$31,175	\$30,182	\$ 993
Couple	\$42,312	\$40,821	\$1,491
Comm. Spouse Resource Allowance	\$74,820 ¹		

1 - \$74,820 (or the spousal share of 1/2 combined resources up to a maximum of \$154,140)

2024 NYS Medicaid Regional Rates

Region	Counties	2024	2023
New York City	Bronx, Kings (Brooklyn), NY (Manhattan), Queens, Richmond (Staten Island)	\$14,273	\$14,142
Long Island	Nassau, Suffolk	\$14,668	\$14,136
Northern Metropolitan	Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester	\$14,165	\$13,906
Western (Buffalo)	Alleghany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, Wyoming	\$12,241	\$12,130
Northeastern (Albany)	Albany, Clinton, Columbia, Delaware, Essex, Franklin, Fulton, Greene, Hamilton, Montgomery, Otsego, Rensselaer, Saratoga, Schenectady, Schoharie, Warren, Washington	\$13,235	\$12,744
Rochester	Chemung, Livingston, Monroe, Ontario, Schuyler, Seneca, Steuben, Wayne, Yates	\$14,419	\$13,421
Central (Syracuse/Utica)	Broome, Cayuga, Chenango, Cortland, Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego, St. Lawrence, Tioga, Tompkins	\$12,196	\$11,726

Understanding NY Medicaid Home Care Eligibility



In order to qualify for Medicaid homecare, an applicant must be:

1. **Financially Eligible:** In order to qualify for Medicaid Homecare, a single applicant can have no more than \$31,175.00 of assets (also known as resources) and their monthly income limit is \$1,752.00.
- ▶ Many resources do not count towards this amount, including:
 - ▶ Home (as long as it's occupied by applicant, spouse, minor or disabled child)
 - ▶ Retirement Accounts (IRA, 401k, etc...) – but account has to be in periodic payment status
 - ▶ Pre-Arranged irrevocable burial/funeral account
 - ▶ 1 Vehicle



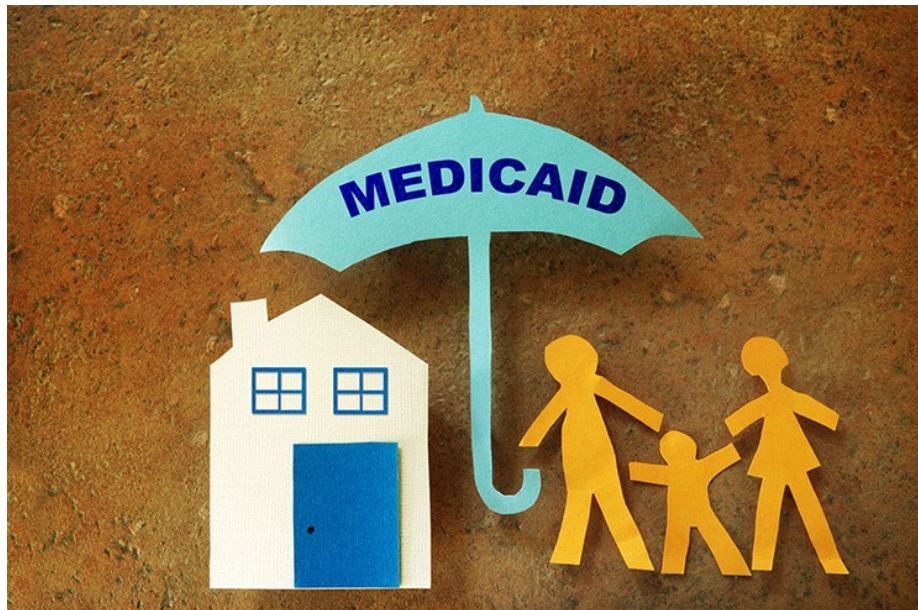


Understanding NY Medicaid Home Care Eligibility, Cont.

- ▶ **2. Medically Eligible:** To be eligible from a medical perspective the applicant must require assistance with two activities of daily living (ADLs).
- ▶ Activities of Daily Living Include:
 - ▶ Bathing
 - ▶ Dressing
 - ▶ Grooming
 - ▶ Eating
 - ▶ Transferring
 - ▶ Ambulating
 - ▶ Toileting



What If The Applicant Has Too Many Resources?



- ▶ *Best Option: Create and Fund Irrevocable Trust (MAPT) prior to Applying for Medicaid homecare*
 - ▶ See May 2024 Medicaid Monday for more info on MAPTs
- ▶ *Another Option: Spousal Refusal*
 - ▶ See February 2024 Medicaid Monday for more info about spousal rights



Medicaid Asset Protection Trust (MAPT)

- ▶ *Used to hold assets (house, stock, life insurance with cash value) in excess of Medicaid allowance*





Medicaid Asset Protection Trust (MAPT)

Clients

Assets



Income

- Trustee – manages trust assets
- Beneficiaries
 - Client – income for life and right to use real property
 - Heirs = Remaindermen – inherit when trust ends

MAPT



- ▶ Home
- ▶ Bank Accounts
- ▶ Stocks & Bonds
- ▶ Annuities
- ▶ Life Insurance
- ▶ Business
- ▶ Real Estate

Medicaid Asset Protection Trust

- Income is yours if you want it
- Principal can NOT be given back to you directly, but
- Principal can be given to children or other beneficiaries



What If the Applicant has Too Much Income?

- ▶ Create and Fund a **Pooled Income Trust** for the applicant
 - ▶ Administered by a nonprofit entity
 - ▶ Funds within pooled trust can be used for monthly expenses for the applicant, including:
 - Housing Payments (Rent/Mortgage Payments)
 - Food
 - Clothing
 - Entertainment
 - Additional Homecare not covered by Medicaid
 - See March 2024 Medicaid Monday for additional info about pooled trusts



Before You Start the Application: Get Organized!

- ▶ Process requires many documents
- ▶ Being organized helps make the process go smoothly
- ▶ **Important Deadline to Note:** In order to apply within a given month, the applicant must be financially eligible as of the 1st of that month. If the applicant has too many resources as of the 1st of the month, the applicant will have to wait until the following month to apply (with limited exceptions).



Step 1: Gather Documents Needed for Initial Medicaid Application



- ▶ Proof of identity and citizenship, such as a birth certificate, social security card, or driver's license.
- ▶ Proof of residence, like a utility bill or lease agreement.
- ▶ Income statements from sources such as Social Security, pensions, or employment.
- ▶ Bank statements, property documents, and other financial records to determine asset values.
- ▶ Medical records and documentation outlining the applicant's health condition and need for care (needed for pooled trust eligibility).

Step 2: Complete the Initial Medicaid Application



- ▶ Once the necessary documents have been gathered, the next step is to complete the Medicaid application and Supplement A .
 - ▶ The application asks mainly about personal and income information
 - ▶ The Supplement A Form requires information about assets.
 - These forms can be confusing and your attorney will assist with their completion.

Step 3: Submission of Documentation and Next Steps



- ▶ After the application is complete, it is submitted to the local Department of Social Services (DSS) office, either by mail, drop-off, email or fax.
 - ▶ Local DSS office reviews application.
 - ▶ DSS may request further documentation or clarification
 - ▶ Your attorney will assist with questions from the DSS office.
- ▶ Your attorney will also complete and submit the joinder agreement to establish a Pooled Income Trust around time of submission of Home Care Application



Step 4: Medical Assessments and Care Evaluation



- ▶ Following approval:
 - ▶ Medical assessments are scheduled and completed with either:
 1. Managed Long Term Care company
 2. Waiver program

The above are necessary to obtain in-home services.



- ▶ **MORE ON THIS NEXT WEEK IN
PART 2 OF OUR SERIES!**



Nursing Home vs. Home Care Application

How are Medicaid Home Care Applications Different Than Nursing Home Applications?

- ▶ No Lookback for Home Care (only require current financial information)
 - ▶ 60 month Lookback for Nursing Home Applications (require 60 months of financial statements for all financial accounts owned by the applicant during that time).
- ▶ Pooled Trusts can be used to preserve income in a homecare case
 - ▶ Pooled trusts cannot be used to preserve income in nursing home cases
- ▶ No Retroactive benefits for Homecare in most cases
 - ▶ Nursing Homes benefits can go retroactive for up to 3 months plus the month of application

MEDICAID MONDAY WEBINARS

Home Care Applications

**Part 2:
NYIA, MLTC & Immediate Needs
August 12 @ 12PM**

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