

RESOURCES

Description: Resources are property of all kinds including: real, personal, tangible, and intangible.

Policy: All resources of an SSI-related A/R are reviewed to determine their availability and value as of the first day of the month for which the SSI-related A/R is applying for or receiving Medicaid. When the SSI-related applicant is requesting Medicaid coverage for the three-month retroactive period (See **OTHER ELIGIBILITY REQUIREMENTS AUTHORIZATION**), the value and availability of the applicant's resources are determined as of the first day of the month for each month that the applicant is seeking Medicaid coverage.

References:

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| SSL Sect. | 366 366.2(a) 366-ee |
| Dept. Reg. | 360-2.3 360-4 360-4.4 360-4.6 360-4.7 360-4.8 |
| ADMs | 10 OHIP/ADM-1 08 OHIP/ADM-4 05 OMM/ADM-6 04 OMM/ADM-6 97 OMM/ADM-2 91 ADM-17 |
| INFs | 05 OMM/INF-2 |
| GISs | 09 MA/027 08 MA/22 08 MA/013 |

Interpretation: Resources are cash or those assets, which can be readily converted to cash, such as financial institution accounts, life insurance, stocks, bonds, mutual fund shares and promissory notes. Resources include property not readily converted to cash (i.e., real property).

Lump sum payments and windfall payments may be considered either income or resources. (See **RESOURCES LUMP SUM PAYMENTS**)

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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: Single/Childless Couples (SCC), 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 if income is at or below the appropriate poverty level.

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-1), 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)

Resource requirements continue to apply to SSI-related Medicaid A/Rs whose eligibility is determined using the SSI-related budgeting methodology, unless they are applying for Medicare Savings Program (MSP)-only. Qualified Disabled and Working Individuals (QDWIs) and applicants for the Medicaid Buy-In for Working People with Disabilities (MBI-WPD) have a resource test as do applicants for COBRA Continuation Coverage.

SSI-related Medicaid A/Rs, including MBI-WPD A/Rs, who are not seeking coverage of long-term care services, are allowed to attest to the amount of their resources rather than provide proof. However, if an SSI-related or MBI-WPD A/R is seeking Medicaid coverage of community-based long-term care services, the A/R must provide documentation of current resources only, and if otherwise eligible, is entitled to coverage of all Medicaid covered care and services, except for nursing facility services.

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An SSI-related A/R who also meets the ADC-related categorical requirements has a choice between ADC-related budgeting and SSI-related budgeting. In determining eligibility under ADC-related budgeting, there is no resource test.

Disposition: To determine eligibility for Medicaid for A/Rs who are subject to a resource test, available, countable resources are compared to the applicable resource level. If the value exceeds that level, the A/R has excess resources. (See **RESOURCES** EXCESS RESOURCES for spenddown of resources).

Although there is no resource test for non-SSI-related and FHPlus A/Rs, districts must continue to review the Resource File Integration (RFI) reports. Districts are encouraged to minimize the scope of investigation into resources of the non-SSI-related or FHPlus A/R to those resources that are related to current income. Any action associated with the income verification should be maintained in the case record and/or appended to the applicable RFI report.

Interpretation: The following sections describe resources in detail:

- Financial Institution Accounts
- Uniform Gifts to Minors Act/Uniform Transfer to Minors Act
- Retirement funds
- Personal needs allowance accounts
- Lump sum payments
- Windfalls