

**RESOURCES
TRANSFER OF ASSETS
ALL CATEGORIES**

References:

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| SSL Sect. | 104-a
366
366.5
366-a(2)
366-c |
| Chapter Laws | 109 of the Laws of 2006 |
| Dept. Reg. | 360-1.4
360-2.3
360-4.4(b)(2)
360-4.4(c)
360-4.6
360-4.7(a)(1) |
| ADMs | 09 OHIPADM-3
08 OLTC-01
06 OMM/ADM-5
04 OMM/ADM-6
96 ADM-8
91 ADM-37
91 ADM-31
90 ADM-36
90 ADM-29
89 ADM-45
85 ADM-27 |
| GISs | 09 MA/016
09 MA/007
08 MA/019
07 MA/018
07 MA/007
06 MA/016
05 MA/012 |

Interpretation:

When an institutionalized A/R or spouse makes a prohibited transfer, but is otherwise eligible for Medicaid, a penalty period is imposed. During this penalty period, the A/R will not be eligible for nursing facility services. (See **RESOURCES RESOURCE DOCUMENTATION REQUIREMENTS** for a complete list of nursing facility services.)

Exceptions:

- The transfer of exempt assets, other than a homestead, does not affect the A/R's eligibility.