

**RESOURCES  
TRANSFER OF ASSETS**

**ALL CATEGORIES EXCEPT S/CC**

**Policy:** Regional rates are used to determine the period of restricted Medicaid coverage when a prohibited transfer is made. The rates listed below are used for persons who apply for Medicaid as an institutionalized person on or after **January 1, 2001**.

<b><u>NORTHEASTERN</u> \$5,627</b>			<b><u>WESTERN</u> \$5,206</b>	
Albany	Fulton	Saratoga	Allegany	Orleans
Clinton	Greene	Schenectady	Cattaraugus	Wyoming
Columbia	Hamilton	Schoharie	Chautauqua	
Delaware	Montgomery	Warren	Erie	
Essex	Otsego	Washington	Genesee	
Franklin	Rensselaer		Niagara	

<b><u>ROCHESTER</u> \$5,629</b>		<b><u>NORTHERN METROPOLITAN</u> \$6,846</b>	
Chemung	Steuben	Dutchess	Westchester
Livingston	Wayne	Orange	
Monroe	Yates	Putnam	
Ontario		Rockland	
Schuyler		Sullivan	
Seneca		Ulster	

<b><u>CENTRAL</u> \$4,953</b>			<b><u>NEW YORK CITY</u> \$7,656</b>
Broome	Lewis	Tioga	Bronx
Cayuga	Madison`	Tompkins	Kings (Brooklyn)
Chenango	Oneida		NY (Manhattan)
Cortland	Onondaga		Queens
Herkimer	Oswego		Richmond (Staten Island)
Jefferson	St. Lawrence		

<b><u>LONG ISLAND</u> \$8,125</b>	
Nassau	Suffolk

**References:**                    **ADM    00 OMM/ADM-3**  
    **GIS     01 MA/012**

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**TREATMENT FOR S/CC A/Rs**

**Policy:** A prohibited transfer of resources occurs when an A/R makes a voluntary assignment or transfer of real or personal property for less than its fair market value.

A voluntary transfer of non-exempt resources or of a homestead for less than the fair market value (FMV) within 12 months prior to the date of the A/R's current application is presumed to have been made for the purpose of qualifying for Medicaid. An S/CC A/R is ineligible for Medicaid for a period of 12 months if s/he transfers resources for the purpose of qualifying for Medicaid. The penalty period is 12 months regardless of the uncompensated value of the resource. See page 353 for the treatment of transfer of assets for all other categories.

**References:**

SSL Sect.	104-a 366.1(a)(1)
Dept. Reg.	360-4.4(b)(2) and (c) 370.2(b)(6)

**Interpretation:** Property that is exempt from consideration as a resource is excluded from the transfer of resources provision. In other words, an A/R may transfer essential personal property or other non-homestead exempt resources without risking his/her eligibility.

Generally, the 12-month period of ineligibility begins with the month of the transfer. When an A/R makes more than one transfer within the 12 months prior to the date of application, the applicant is ineligible for 12 months beginning with the date of the most recent transfer.

An S/CC individual or couple remains ineligible for 12 months following the date of transfer of countable resources when the value of the transferred resources plus the value of the A/R's current resources exceeds the appropriate \$2,000 or \$3,000 resource level. When the value of the transfer plus the value of the A/R's current countable resources equals or is less than the appropriate \$2,000 or \$3,000 resource level, there is no penalty period.