

**RESOURCES
TRANSFER OF ASSETS**

ALL CATEGORIES EXCEPT S/CC

References:

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	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
GIS	07 MA/019 07 MA/018 07 MA/011 07 MA/007 06 MA/016 05 MA/012

Interpretation:

When an institutionalized A/R or the A/R's spouse makes a prohibited transfer, but is otherwise eligible for Medicaid coverage of nursing facility services, 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.