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PRACTICING EXCLUSIVELY IN:
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ELA Alert

August 23, 2006

Please deliver to: Admissions Dir., Administrator,
Social Work Dept., and Medicaid Coordinator

Change In Average Private Pay Nursing Home Rate *First time Divisor has changed in 12 Years*

The DCF recently released a memo (Transmittal No. P-06-07-0010) to advise their staff of a change in SSI-related program policy for individuals who transfer assets without fair compensation to become Medicaid eligible. Transfer provisions apply to individuals applying for or receiving Medicaid benefits under the Institutional Care Program (including institutional Hospice), a Home & Community based waiver program or the PACE program.

The period of ineligibility for having transferred assets/income without receiving fair compensation is calculated by dividing the amount of uncompensated transferred funds by the average private pay nursing home rate (previously \$3,300). The transfer divisor figure has been changed to \$5,000 effective June 1, 2006. This new figure will apply to all new transfers reported on or after June 1, regardless of when the transfer occurred.

Previously calculated penalty periods will not be recalculated based on the new divisor, even if there is a break in Medicaid coverage and the individual reapplies on or after June 1, 2006.

If you are interested in having an attorney from Elder Law Associates, P.A. speak at your facility about the impact of this new rule, please contact Leslie Lautin Davis at (561) 750-3850 or 800-ELDERLAW.

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