

**CONNECTICUT DEPARTMENT OF SOCIAL SERVICES
UNIFORM POLICY MANUAL**

Date: 4-1-07

Transmittal: UP-07-02

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Section:

Treatment of Assets

Type:

POLICY

Chapter:

Treatment of Specific Types

Program:

MA

Subject:

Home Property

4030.20 D. MA

1. If the individual owns home property and enters a long-term care facility, the home property retains its status as an excluded asset for as long as any of the following persons is lawfully residing in the home:
 - a. the individual's spouse; or
 - b. the individual's child who is under age 21 or blind or disabled; or
 - c. the individual's sibling if the sibling:
 - (1) is joint owner of the home; and
 - (2) was residing in the home for at least one year immediately before the individual entered the long-term care facility.
2. If the individual enters a long-term care facility and none of the persons listed above is lawfully residing in the individual's home, the home's status as an excluded asset depends upon the expectation of the individual to return to the home.
 - a. If the individual can reasonably be expected to return to the home, the home continues to be excluded as home property.
 - b. If the individual cannot reasonably be expected to return to the home, the home is considered non-home property, and is subject to the policies and procedures described in this chapter.
3. The Department assesses the individual's expectation to return to the home, if necessary:
 - a. at the time of the initial application for assistance; and
 - b. every six months, beginning six months from the later of the following dates:

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4030.20 D. 3. b. MA (continued)

- (1) the effective date of assistance; or
 - (2) the date of admission to the long-term care facility.
4. The Department determines whether the individual can be expected to be discharged from the long-term care facility to return home based on the following:
- a. diagnosis of the individual's medical condition as documented by the long-term care facility's authorizing physician; and
 - b. the physician's prognosis for the individual's recovery; and
 - c. availability of private care which the individual could receive at home as an alternative to institutionalization; and
 - d. statement from the individual, if he or she is competent, regarding the intent to return home; and
 - e. the individual's financial ability to maintain the home.
5. The Department places a lien against the individual's home if the home loses its exclusion as home property (cross reference: Section 7510).
6. The individual has the right to a Fair Hearing if he or she contests the Department's assessment of the expectation to return to the home, and the subsequent notice of intent to place a lien against the property.
7. The property regains its excluded status, and the Department removes its lien, if the individual does return to the home.

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4030.20 E. MA – Effect of Substantial Home Equity on Payments for Nursing Facility and Other Long-Term Services for Applications Made On or After 1/1/06

1. The provisions of this paragraph apply only to an individual with an equity interest in his or her home of greater than \$750,000 and who applies on or after 1/1/06.
2. An individual with an equity interest in his or her home of greater than \$750,000 is ineligible for the payment of nursing facility and other long-term care services unless any of the following persons is lawfully residing in the home:
 - a. the individual's spouse; or
 - b. the individual's child who is under 21; or
 - c. the individual's child who is considered blind or disabled under the criteria for SSI eligibility.
3. Beginning in the year 2011, the home equity limit will increase each year. The increase will be based on the percentage increase in the consumer price index for all urban consumers, rounded to the nearest \$1,000.
4. The following individuals may be eligible to receive Medicaid payment for long term care services, notwithstanding possessing home equity in excess of \$750,000:
 - a. individuals who demonstrate, to the satisfaction of the Department, that they cannot obtain a reverse mortgage, home equity loan or similar instrument; and
 - b. individuals eligible for a Long-Term Care Insurance disregard in an amount greater than or equal to the amount of home equity in excess of \$750,000, plus the amount of any other counted assets. (Cross Reference: 4022.10)
5. The Department may waive application of the home equity provision if the denial of payment of nursing facility and other long-term care services would result in an undue hardship. (Cross Reference: 3029.25)

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4030.20 | F. Food Stamps

1. The Department does not place a lien against the assistance unit's home property in the Food Stamp program.
2. One lot is considered home property, and is excluded as an asset, if the assistance unit does not already own a home but is planning to build or is building a permanent home on that lot. If the home is in the process of being built on the excluded lot, the value of the partially completed home is excluded, also, as home property.