

New York

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

MORE LIBERAL METHODS OF TREATING RESOURCES
UNDER SECTION 1902(R)(2) OF THE ACT☐ Section 1902(f) State☒ Non-Section 1902(f) State

Disregard	How More Liberal	Groups Covered	Approved/ Protected by
Savings of infants under age 21 of less than \$500	Additional resource is not considered in the determination of eligibility	All MN	Existing State Policy since October 1, 1982 & 18 NYCRR 360-4.6(b)(5)
Trust funds of an infant under age 21 of less than \$1000	Additional resource is not considered in the determination of eligibility	All MN	Existing State policy since October 1, 1982.
A car - no cap	No limit	All MN *TWWIIA-BC TWWIIA-MI	18 NYCRR 360.4-7(a)(2)(iv)
Essential personal property – no cap	No limit	All MN TWWIIA-BC TWWIIA-MI	18NYCRR 360-4.7(a)(2)
Equity value of income producing property from \$6,000 to \$12,000	Equity value can exceed \$6,000 up to \$12,000	All MN	18 NYCRR 360-4.4(d)
Resource eligibility achieved effected with the first day of the month (including retroactive period) in which resources are reduced to the allowable level.	Federal policy prohibits eligibility for entire month if applicant has excess resources on 12.01 am of the first day of the month. Federal policy also prohibits gaining resource eligibility for retroactive month(s) if excess resources existed in that month.	All MN TWWIIA-BC TWWIIA-MI	Exiting State Policy since October 1, 1982

TWWIIA=Ticket to Work and Work Incentives Improvement Act

TWWIIA BC=Basic Coverage Group

TWWIIA MI=Medical Improvement Group

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☐ Section 1902(f) State

☒ Non-Section 1902(f) State

Disregard	How More Liberal	Groups Coverage	Approved/ Protected by
Equity value of income-producing property up to \$12,000	Equity value of up to \$12,000 not considered in the determination of eligibility	ADC-related MN TWWIIA BC TWWIIA – MI	18 NYCRR 360-4.4
Equity value of nonbusiness income-producing property from \$6,000 to \$12,000	Equity value can exceed \$6,000 up to \$12,000	SSI-related MN TWWIIA BC TWWIIA - MI	18 NYCRR 360-4.4

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**MORE LIBERAL METHODS OF TREATING RESOURCES
UNDER SECTION 1902(r) (2) OF THE ACT**

☐ Section 1902(f) State

☒ Non-Section 1902(f) State

[Deemed resources of parents of pregnant women described under 1902(a)(10)(A)(i)(IV) and 1902(1) of the Act are disregarded when determining eligibility for pregnant women.]

Deemed resources of parents of medically needy pregnant women are disregarded when determining eligibility for pregnant women.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

MORE LIBERAL METHODS OF TREATING RESOURCES
UNDER SECTION 1902(r)(2) OF THE ACT

[] Section 1902(f) State

[X] Non-Section 1902(f) State

Disregard	How More Liberal	Groups Covered	Approved/Protected by
1. All resources, for a person who exhausts the minimum required benefits under a "total asset protection" long-term care insurance policy approved under the NYS Partnership for Long Term Care.*	Disregards resources otherwise countable under 42 CFR 435.845.	All MN	
2. An amount of resources equivalent to the value of benefits received under a "dollar for dollar" long-term care insurance policy approved under the NYS Partnership for Long Term Care, or under a <u>Partnership Policy approved by another state participating with New York in reciprocity</u> , for a person who exhausts the minimum required benefits under such a policy. [*]	Disregards resources otherwise countable under 42 CFR 435.845.	All MN	

* Long-term care insurance policies bearing the logo of the NYS Partnership for Long Term Care have been approved by the NYS Department of Insurance as meeting minimum benefit standards. A "total asset protection" policy provides a minimum benefit of at least [three] two years of nursing facility care. A "dollar for dollar" policy provides a minimum benefit of one and a half, but less than three, years of nursing facility care.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

MORE LIBERAL METHODS OF TREATING RESOURCES
UNDER SECTION 1902(r)(2) OF THE ACT

☐ Section 1902(f) State

☒ Non-Section 1902(f) State

The Resource amount above the maximum resource level of a disabled individual eligible under Section 1902(a)(10)(A)(ii)(XII) and below the State's Medically Needy Resource Level is disregarded when determining the MA eligibility of TB infected individuals for TB related services.

TN #94-14

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

**MORE LIBERAL METHODS OF TREATING – RESOURCES
UNDER SECTION 1902(r)(2) OF THE ACT**

☐ Section 1902(f) State

☒ Non-Section 1902(f) State

When determining the MA eligibility of Qualified Individuals under Section 1902(a)(10)(E)(iv) of the Act, the resource amounts are to be disregarded.

When determining the eligibility of Qualified Medicare Beneficiaries and Specified Low Income Medicare Beneficiaries under the Section 1902(a)(10)(E) of the Act, the resource amounts are to be disregarded.

TN #08-05

Approval Date August 21, 2000

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Effective Date April 1, 2000

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

MORE LIBERAL METHODS OF TREATING – RESOURCES
UNDER SECTION 1902(r)(2) OF THE ACT

[] Section 1902(f) State [X] Non-Section 1902(f) State

[1.] [In determining eligibility for children under age 21 for whom kinship guardianship assistance payments are made on behalf of or who are receiving foster care and are in the care and custody of the local social services district commissioner or in the care and custody of the Commissioner of the Office of Children and Family Services, as authorized by Sections 1902(a)(10)(A)(ii)(I) and 1905(a)(i) of the Act and by 42 CFR 435.222(b)(1) and as described in Attachment 2.2-A, page 13, paragraph B.(b)(1)(d), disregard all resources.]

[2.] 1. In determining the Medicaid eligibility of persons under Section 1902(a)(10)(C) of the Social Security Act, for for AFDC-Related Medically Needy persons, the resource amounts are to be disregarded.

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

MORE LIBERAL METHODS OF TREATING – RESOURCES
UNDER SECTION 1902(r)(2) OF THE ACT

☐ Section 1902(f) State

☒ Non-Section 1902(f) State

In determining the Medicaid eligibility for persons under 1902(a)(10)(A)(ii)(XV) and 1902(a)(10)(A)(ii)(XVI) of the Social Security Act, disregard all funds held in retirement funds and accounts, including private retirement accounts such as IRAs and other individual accounts, and employer sponsored retirement plans such as 401(k) plans, Keogh plans, and employer pension plans.

TN #11-44

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