

# Medicaid Requirements Guide

*Medicaid requirements are complicated, but this guide provides important information.*

## QUALIFICATION & REQUIREMENTS

Medical necessity is a prerequisite for participation in the Medicaid Long-term Care program. To qualify, applicants must verify that a medical necessity exists.

The individual's needs must (a) exceed the routine care that might be given by an untrained person and (b) require licensed nurse supervision, assessment, planning, and intervention available only in a care community.

Additionally, the individual must require medical or nursing services that (a) are ordered by a physician; (b) are dependent upon the individual's documented medical conditions; (c) require the skills of a registered or licensed vocational nurse; (d) are provided either directly by or under the supervision of a licensed nurse in an institutional setting; and (e) are required on a regular basis.

## LOOK-BACK PERIOD

The state of Texas can examine financial transactions prior to the date of application for Medicaid benefits for a Look-Back Period of 60 months. The purpose of the look back is to assess financial records for any uncompensated transfers or income or resources that should be delivered.

\* When combined incomes of both spouses are below the Spousal Monthly Allowance, the Community Spouse can usually keep more than the Protected Resources Amount.

\*\* For case actions before 9/1/19, the transfer penalty divisor is \$172.65/day; and on or after 9/1/19 it is \$213.71/day.

The Protected Resource Amount is based on the resources of the couple as of the first day of the month in which the applicant enters a hospital or nursing facility and begins a continuous, uninterrupted stay.

It's advisable to consult with a knowledgeable elder law attorney for assistance before transfers of money or assets.

## 2021 INCOME & RESOURCE LIMITS

Resource Allowance for Individual . . . . .	\$2,000
Resource Allowance for a Couple . . . . .	\$3,000
Maintenance Needs Allowance/Month	\$3,259.50
Income Cap Amount . . . . .	\$2,382
Protected Resource Amt. Min. . . . .	\$26,076
Protected Resource Amt. Max.* . . . . .	\$130,380
Spousal Monthly Allowance . . . . .	\$3,216.50
Gift Penalized** . . . . .	\$213.71/day
Personal Needs Allowance/Month. . . . .	\$60

**For more information, call 214-328-4161.**



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