

Jordan Balkema Elder Law Center

MEDICAID QUALIFICATION - MARRIED PERSON

The Medicaid laws are very complex and sometimes frustrating. However, it is our goal to make your application process as smooth as possible.

The Department of Human Services (D.H.S) is responsible for reviewing, approving and/or denying all Medicaid Applications in the State of Michigan. In the reviewing of a married person=s Medicaid Application the D.H.S. applies the following 3 tests:

1. **Income Test** - D.H.S. requires current written proof of all income for both spouses, including, but not limited to:
 - A. Social Security Benefits;
 - B. Retirement / Pension;
 - C. Disability Income;
 - D. Worker=s Compensation;
 - E. Rental Income;
 - F. Land Contract Payments;
 - G. Annuity Payments;
 - H. Dividends;
 - I. Any other income received.

Basically, the stay-at-home spouse can keep all of his or her income. Further, they may be able to keep some of the nursing home spouse=s income, depending on what their own income and expenses are. We will assist in calculating what this figure will be.

2. **Asset Test - Initial Assessment Date** - D.H.S. requires written proof of the value of all of both spouse=s assets on the exact date that the patient entered into the nursing home or hospital, including, but not limited to:

- A. Cash on hand or in a nursing home trust account;
- B. Residence;
- C. Other real estate;
- D. All bank accounts (savings, checking, certificates of deposit, etc.);
- E. All investments (IRAS, stocks, bonds, money markets, mutual funds, annuities, etc.);
- F. Life Insurance;
- G. Vehicles (cars, boats, snowmobiles, campers, etc.);
- H. Tools and equipment;
- I. Funeral contracts and burial items;
- J. All other assets other than household goods.

3. **Asset Test - Medicaid Application Date - D.H.S. requires written proof of the current value of all of both spouse=s assets, including, but not limited to:**

- A. Cash on hand or in a nursing home trust account;
- B. Residence;
- C. Other real estate;
- D. All bank accounts (savings, checking, certificates of deposit, etc.);
- E. All investments (IRAs, stocks, bonds, money markets, mutual funds, annuities, etc.);
- F. Life Insurance;
- G. Vehicles (cars, boats, snowmobiles, campers, etc.);
- H. Tools and equipment;
- I. Funeral contracts and burial items;
- J. All other assets other than household goods.

Basically, the stay at home spouse is allowed to own the following items and still have his or her spouse qualify for Medicaid:

- 1. Residence and household goods
- 2. 1 Vehicle
- 3. Certain funeral contracts and burial items;
- 4. Life insurance with a face value of less than \$1,500;
- 5. Income producing property netting 6% income with an equity value of less

than \$6,000.

6. One-half (1/2) of the Accountable assets@ on the initial assessment date up to \$109,560 (in 2011). 1 through 5 of this paragraph are Anot countable assets@ for Medicaid qualification. Generally, all other asset are Accountable@.

Further, the D.H.S. want to know if you have made any gifts or sold any items in the last 5 years. Any such transactions will need to be verified in writing.

PLEASE REVIEW THE ATTACHED MEDICAID CHECKLIST AND PROVIDE US WITH AS MUCH INFORMATION REGARDING YOUR INCOME AND ASSETS AS POSSIBLE. IF YOU HAVE ANY QUESTIONS REGARDING WHAT YOU NEED TO PROVIDE, PLEASE CONTACT US IMMEDIATELY.

JORDAN BALKEMA ELDER LAW CENTER

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