



# Q&A About Medicaid Planning



## Is it legal to protect your assets from the Medicaid Spenddown?

Yes! When you work with our team, we will guide you on the ways to avoid the Medicaid spenddown. Each technique is specifically allowed by state and federal Medicaid eligibility rules.

# Avoid the Medicaid spenddown.



My wife and I have over a million dollars subject to the Medicaid Spenddown, is that too much money to try to protect?

No. First, not all assets count towards the Medicaid Spenddown. Our expert analysis of your situation will determine which assets are subject to the spenddown and which are exempt. Second, we routinely help married couples with over a million dollars qualify a spouse for LTC Medicaid while protecting all of the couple's assets.

[www.ohiolongtermcaremedicaidhelp.com](http://www.ohiolongtermcaremedicaidhelp.com)  
330-324-1163







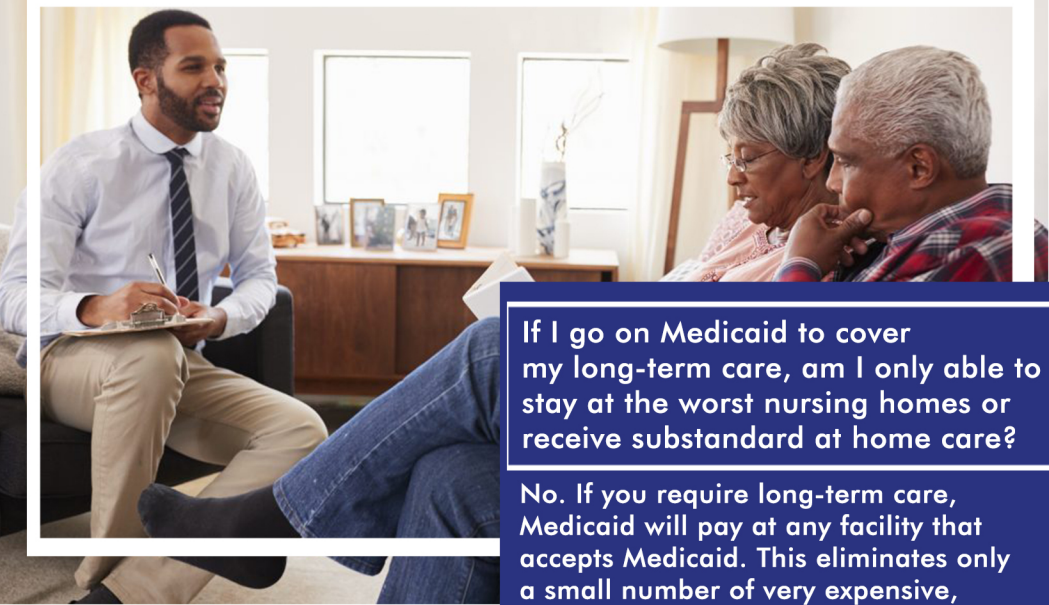
## My husband is already receiving care at home or nursing home, is it too late for me to do Medicaid Planning?

No. As long as there are assets still available to spend down, it is not too late to do Medicaid Planning. The Medicaid long-term care program looks back 5 years to see if the applicant or the applicant's spouse has transferred or given away any assets to qualify for Medicaid and then may impose a transfer penalty. The 5-year lookback period does not diminish your ability to do Medicaid planning at any time.

## Can I protect all of my assets from the expensive Medicaid process?

This depends on whether you are single or married and what types of assets you have. A home, car, personal property and pre-paid funeral are exempt from the spenddown. Additionally, in some states retirement assets are also exempt from the spenddown. Non-exempt assets are called countable assets. In 2022 a single patient can keep only \$2,000 (on average but varies by state) in countable assets. A married patient with a spouse living in the community (called a "Community Spouse") can keep up to an additional \$137,400, but those assets have to be transferred into the sole ownership of the Community Spouse.





**If I go on Medicaid can they take my home from me?**

The Medicaid program does not take a person's home from them if they need services. The Medicaid program does have an estate recovery plan. The estate recovery plan allows the state to recoup the cost of long-term care services for anyone over age 55 who received those services paid for by Medicaid in a nursing home or through the assisted living or home care waiver programs. All Medicaid eligibility plans also plan to avoid estate recovery through different techniques that your Medicaid Planner will discuss with you.



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**If I go on Medicaid to cover my long-term care, am I only able to stay at the worst nursing homes or receive substandard at home care?**

No. If you require long-term care, Medicaid will pay at any facility that accepts Medicaid. This eliminates only a small number of very expensive, private-pay facilities. The majority of facilities accept Medicaid, which is the largest source of funding for long-term care in Iowa. The facility is not allowed to care for a Medicaid patient differently from a private-pay patient, with the exception of guaranteeing a private room. Many people who go into facilities are private pay while they spend their assets down and then go on Medicaid. When they liquidate an asset, they go off of Medicaid until the funds are spent down.

**I was told I wasn't allowed to give away assets to qualify for LTC Medicaid, is that true?**

No. You can give away assets, but Medicaid has a 5-year lookback period to determine if assets given will cause a penalty. A Medicaid penalty is not a financial penalty. When assets are transferred or gifted away, the value of the transferred assets triggers a penalty that is a period of time when the applicant for LTC Medicaid is ineligible for coverage.