

Department of Public Health  
and Human Services

Section:  
RESOURCES

FAMILY RELATED MEDICAID

Subject:  
Overview

**Supersedes:** FMA 400, 01/01/08

**References:** ARM 37.82.101, 418, .423; 42 CFR 435.601

GENERAL RULE--The filing unit's financial eligibility is determined by prospectively evaluating the resources of each member.

**NOTE:** An SSI recipient's resources are not considered when determining resource eligibility for the remainder of the household.

Determining financial eligibility means that an investigation of the household's current and future circumstances occurs. The results, a "best estimate," based on the household's reasonable expectations and knowledge, accurately reflect all facts and remain an accurate reflection of the likely situation throughout the eligibility period.

The "best estimate" involves a projection and evaluation of the household's resources. The projection of resources is then compared to the resource limitation. These estimates become the basis for eligibility for every ensuing benefit month until it is time to re-estimate (redetermine) or until a change in the household's circumstances occurs.



All resources owned (legally or equitably) by the filing unit must be evaluated for accessibility, value, and exclusion status when making eligibility determinations.

Countable resources cannot exceed \$3,000, regardless of family size, for all Family-Related Medicaid programs except Child-Under Age 6 and Child-Age 6 to 19. Countable resources cannot exceed \$15,000 for the Child-Under Age 6 and Child-Age 6 to 19 programs, regardless of family size.

**ENTERING  
RESOURCE  
INFORMATION**

**All resources, even if they are excluded per policy, must be entered on the appropriate system page.** Enter all resource information for every resource owned or co-owned by each filing unit member.

If any changes are made to the resource information, eligibility must be redetermined. If benefits have been authorized, but haven't been issued for the benefit month, any change will deauthorize the benefits.

Timely and adequate notice policy must be followed if taking an adverse action.

### RESOURCE ACCESSIBILITY & AVAILABILITY

Resources are considered accessible either when actually available to the individual or when the individual has a legal or equitable interest in the property or asset and has the legal or equitable ability to access funds or to convert non-cash property into cash, regardless of whether the individual has the practical ability to access the funds or to convert non-cash property into cash.



No exclusions listed in this section will be applied to property a filing or assistance unit does not own, nor to the use of such property except by owners who are members of the filing or assistance unit. This includes *but is not limited to* property which a filing or assistance unit does not own but is owned by or held in:

1. a trust of any kind (whether or not any member of the filing/assistance unit is a trust beneficiary or a trustor),
2. a corporation of any kind (whether or not any member of the filing/assistance unit is a corporate shareholder),
3. a partnership of any kind (whether or not any member of the filing/assistance unit is a partner),
4. a limited liability company of any kind (whether or not any member of the filing/assistance unit is a member of the company)
5. any other legal entity, instrument, device or arrangement of any kind by which a filing or assistance unit does not own the property.

### DATE OF RESOURCE ELIGIBILITY

If the family is resource eligible on any day of a month, they are considered resource eligible for the full month (current month or retroactive month). If resources are anticipated to exceed the resource limit on the first of a future month, the case is closed. If countable resources are reduced below the resource limit in the future month, the family may reapply for Medicaid.

EXAMPLE: A family applies for Medicaid on 4/7/08. They are determined eligible for 4/08, but anticipate that their resources will exceed program limits on 5/1/08. Their coverage is closed effective 4/30/08. On 5/08/08, the family reapplies and verifies that their resources have been reduced below the limit. If all eligibility factors are

met as of 5/08/08, they may be determined Medicaid eligible effective 5/01/08.

**RESOURCES OF  
DISQUALIFIED/  
INELIGIBLE  
MEMBER**

The resources of a required filing unit member receiving Supplemental Security Income (SSI) are not counted in determining eligibility for the other required filing unit members. The SSI recipient cannot be a member of the family-related Medicaid assistance unit.

The resources of a disqualified required filing unit member are counted in full in determining eligibility for the remaining filing/assistance unit members, but the disqualified member is not included in the household size. The resources of an alien's sponsor must be deemed. See 'Deeming', FMA 603-1.

**CHANGES IN  
RESOURCES --  
MONTH OF  
APPLICATION**

Any changes in resources that occur and are reported after the date of application, but prior to the application being approved or denied, should be evaluated to determine if:

1. An increase in resources is the result of countable income in the month (thus, not a countable resource), or
2. A decrease in resources results in a finding of eligibility for a month if the household appeared to exceed the resource limit.

**EXAMPLES:**

1. Betty applies for FM on 10/1/07. Her family's countable resources on 10/7/07 are \$3,800. Before the eligibility case manager denies the application, she verifies their resources have decreased to \$1,500 as of 10/22/07. The Medicaid application may be approved for October if Betty and her family verify this change in resources and are otherwise eligible.
2. On 10/5/07, Jill applies for Child-Under Age 6 Medicaid. Countable resources on that date are \$10,200. Before the eligibility case manager approves the application Jill reports she was given a newer truck that is not excluded per policy. Even though resources now exceed the limit, the Medicaid application must be approved (if otherwise eligible) effective 10/1/07 because Jill met the resource standard at one point during the month. The eligibility case manager would reevaluate eligibility based on the new situation for November and close the Medicaid effective 10/31/07 due to being over resources.

**CURRENT  
MONTH'S INCOME**

Income received in the current month is not counted as a resource. Therefore, if the income is deposited into a bank account, it is excluded as a resource in the current month, but becomes countable in future months to the extent retained.

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