



THE LAW OFFICES OF
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FLORIDA MEDICAID QUALIFICATIONS
FOR A MARRIED PERSON IN 2011

Requirements for a married person to qualify for the Institutional Care (Nursing Home) Program in Florida are as follows:

- At least 65 years of age or disabled.
- Citizen of United States or an alien who has been admitted as a permanent resident.
- Resident of Florida. Anyone residing in a nursing home which is certified for Medicaid is considered to be a resident of Florida.
- Medical need for nursing home care as established by the CARES team of the Department of Elder Affairs and Department of Children and Families.
- Assets of less than \$2,000 at least one day of each month of Medicaid eligibility. If the applicant's gross income is less than \$795 per month, the individual is allowed to have up to \$5,000 in assets. The applicant's spouse may have assets not exceeding \$109,560 (limit as of 1/1/2011).
- Applicant's monthly GROSS available income not to exceed \$2,022 (limit as of 1/1/2011).^{*} Applicant's spouse does not have an income limitation.
- Be under no **disqualification period** because of transfer of assets.

Assets that are not counted in the \$2,000 asset limit:

- Homestead - if the applicant's spouse or disabled child lives in the home or the equity in the home is less than \$506,000 and the applicant intends to return home.
- Additional property if rented or listed for sale at fair market value.
- Property used in trade or business.
- One vehicle - regardless of age or value.
- Additional vehicle(s) - if 7 years old or older unless a luxury model, antique or customized.
- Life insurance - with no cash value.
- Life insurance - with cash value - if the total face value of all policies is less than \$2,500.
- Irrevocable burial contracts.
- \$2,500 designated for burial expenses - revocable burial contracts, bank accounts designated for burial by notation in the title, or life insurance policies.
- One burial plot per family member.
- Retirement accounts that are making regular automatic periodic distributions^{**}.

Assets that are counted in the \$2,000 asset limit:

- Checking/Savings accounts
- Brokerage accounts, stocks and bonds

Assets that are counted in the \$2,000 asset limit (continued):

- Certificates of deposit
- U.S. savings bonds
- Real property
- Limited partnerships
- Life insurance cash value if the total face value of all policies is greater than \$2,500.
- Boats
- Loans, Notes, Mortgages
- Deferred Annuities
- IRAs not making regular automatic periodic distributions**
- Any resource or item of value owned jointly by the applicant with anyone else.

Income included in \$2,022 limit:

- Social Security
- Pension
- Retirement accounts
- Annuity payments
- Interest
- Dividends
- Alimony
- Rental income
- Life insurance proceeds
- Long-Term Care Insurance benefit payments

Income excluded from \$2,022 limit:

- Vendor payments
- Aid and Attendance from Veterans Administration

*Although the Medicaid Applicant is limited to \$2,022 of gross income for Medicaid eligibility, if the applicant's income exceeds this limitation, he/she will still be eligible for Medicaid benefits if he/she establishes and funds a Qualified Income Trust during the month Medicaid benefits are needed.

**Treatment of IRA/retirement accounts currently varies greatly depending on the county in which you are applying for benefits.