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IMPORTANT NYS MEDICAID UPDATES

We hope that you and your loved ones are staying safe and healthy during this uncertain time.

As of April 3, 2020, there have been two major updates to the Medicaid program in New York State.

First, the Office of Health Insurance Programs issued a statement that persons who were receiving Medicaid prior to March 18 **will not** lose their benefits because they are unable to recertify or provide documentation during the COVID-19 crisis. Additionally, during the COVID-19 crisis, persons who wish to submit new applications for Medicaid homecare or nursing home care may attest to their income and resources on the application. They **do not** have to provide backup documentation if they cannot obtain it until after the COVID-19 crisis has ended.

Second, the state legislature has passed a budget bill which is changing the Medicaid homecare application process. Whereas applicants were previously required to supply three (3) months of bank statements for a Medicaid homecare applications, homecare applicants will now have to submit 30 months of bank statements with their applications, and are subject to a “look back” for that time period. This means that any uncompensated transfers or gifts made during the 30 months prior to an application for Medicaid homecare benefits will result in a penalty period of ineligibility based on the amount of money transferred. This is a significant change from the current law which allowed a person to make transfers of assets in one month and be eligible for Medicaid homecare the following month. Homecare rules are now more akin to Institutional Medicaid rules, except the look back is 30 months instead of the 60 months for Institutional Medicaid.

This new rule goes into effect on October 1, 2020. We will keep you up to date on this evolving change to the Medicaid law. Until the regulations are issued, we will not know how the effective date will be implemented.

Please call or email us if you have any questions about these changes, or are considering a new application for Medicaid benefits.