



Protecting & Maximizing Public Benefits

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Home Care Public Benefit Planning- Who/ When

- Client with a spouse with Alz/Dementia
- Surviving spouse/single person (w/ or w/o children)
- Estate planning clients (most of them)
- Clients with child w/disability: planning for the parents' long-term care costs and leaving \$ for child
- Clients without long-term care insurance or limited long-term care insurance
- Clients who will be on Medicaid eventually based on income and asset

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Home Medicaid Public Benefit

- Community Care for the Aged and Disabled
 - Single older adult or single adult with a disability living with a family member or supported living environment
- StarPlus Waiver (Home Community Based Services) (HCBS)
 - Older adult or adult with a disability living with a family member or supported living environment
 - Married couples with one spouse needing care
 - SPW can pay for AL, but very hard to find AL that accepts SPW
 - SPW + IL = AL

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Community Care for the Aged and Disabled: Benefits and non-financial criteria

- Benefits
 - Up to 40 hours/week of attendant services at home (number of hours is based on need—usually much less)
 - Usually 10-15 hours a week
 - Non-medical services, help with bathing, dressing, etc.
 - Can use Consumer Directed Services (CDS)- client selects own caregivers
 - Gap coverage while waiting for SPW benefits (interest list)
- Medical criteria
 - Needs assistance with ADLs
 - Use a care manager to assess for medical criteria and review the budget

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Community Care for the Aged and Disabled: financial criteria

Income of the Applicant

- Less than \$2,742 gross monthly (per applicant)-
 - Cannot use Miller Trust or Qualified Income Trust if over the income cap
 - If over, plan for SPW (or maybe local benefits under AAA or Veteran's Benefits- see Lori Leu's paper)

Assets/Resources

- Exempt Assets
 - Homestead (see equity limits for a single person), personal items, irrevocable pre-need funeral, burial plot, one car, IRAs (sometimes), certain types of annuities
- Countable Assets
 - Must be less than \$2,000 for a single applicant, married couples' countable assets must be less than \$3,000
 - Checking, savings, money market accounts, mineral rights (sometimes), certain types of annuities, cash value of life insurance policies, a second car or second home
 - No transfer penalty/ loss of eligibility for transfer assets- but wait!
 - SPW/ Nursing home Medicaid has a 5-year look back for transfer of assets (not penalty period/ see paper for penalty period, p. 112)

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StarPlus Waiver: benefits

- Interest list- wait list 6 mo- 2 years
- The SPW Program provides home and community-based services to people who are older or who have disabilities.
- 30-50 hours a week of assistance (home care benefits) or at an assisted living facility if the facility accepts SPW
 - Assisted living (hard to find, AL must accept SPW & SPW bed open)
 - Delivered meals, adaptive aids, home care, personal care, PT/OT & respite care
 - Also can hire own caregivers (consumer-directed services)
 - Pre-qualified financially for nursing home Medicaid (applicant must be in Medicaid bed, Medicaid nursing home)

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Title search: Maximizing Public Benefits

Also available as part of the eCourse

[Answer Bar: Considering a Special Needs Trust](#)

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"Maximizing Public Benefits"