

Advanced Medicaid Strategies and Special Needs Trusts - 2022

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Guardian Trusts

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The Topics

- The Florida Medicaid Programs
- Medicaid Planning Strategies
- SNT's for Sheltering Funds
- Miscellaneous Uses of SNT's

**SSI-RELATED MEDICAID COVERAGE GROUPS
FINANCIAL ELIGIBILITY STANDARDS: JANUARY 2022**

Coverage Group	Income Limit	Asset Limit
*ICP/HCBS/Hospice- Individual (300% FBR)	\$ 2,523	\$ 2,000
*ICP/HCBS/Hospice – Couple	\$ 5,046	\$ 3,000
*HCBS/Working People w/Disabilities – Individual (WPwD) (550% FBR)	\$ 4,626	\$ 2,000 \$13,000 Disregard
*HCBS/Working People w/Disabilities – Couple (WPwD)	\$ 9,252	\$ 3,000 \$24,000 Disregard
**MEDS-AD/ICP-MEDS/Individual (88% FPL)	\$ 945	\$ 5,000
**MEDS-AD/ICP-MEDS/Couple	\$ 1,278	\$ 6,000
Medically Needy, MNIL-(I)-No income limit	\$ 180	\$ 5,000
Medically Needy, MNIL-(C)-No income limit (Subtract from gross income)	\$ 241	\$ 6,000
**QMB Individual (100% FPL)	\$ 1,137	\$ 7,970
**QMB Couple	\$ 1,538	\$ 11,960
**SLMB Individual (120% FPL)	\$ 1,364	\$ 7,970
**SLMB Couple	\$ 1,845	\$ 11,960
**QI1 Individual (135% FPL)	\$ 1,534	\$ 7,970
**QI1 Couple	\$ 2,076	\$ 11,960
**Working Disabled Individual (200% FPL)	\$ 2,274	\$ 5,000
**Working Disabled Couple	\$ 3,075	\$ 6,000
**Low Income Subsidy (LIS)- Individual (150% FPL)	\$ 1,705	\$ 15,510
**Low Income Subsidy (LIS)- Couple	\$ 2,307	\$ 30,950
**Medicare Part B Premium	\$ 170	
**Medicare Part A Premium	\$ 499 (Free for most)	N/A
Personal Needs Allowance (PNA) (eff 01/01/22)		
NH-ICP/HCBS/Hospice/PACE	\$ 130	
Hospice (Community) 100% FPL	\$ 1,137	
ALF-PACE/SMMC-HCBS	R&B+ 20% FPL (Individual \$227) / (Couple \$454)	
Community/Budget	\$ 2,523	
Maintenance Needs Standards / Other (eff 01/01/22)		
Standard Disregard	\$ 20	
Earned Income Disregard	\$ 65 + ½	
Student Earned Income Disregard Limit	\$ 2,040 monthly, Maximum \$8,230 per calendar year	
Spouse Deeming = ½ FBR	\$ 420	
Child Allocation	\$ 420/child (Difference between the couple and single FBR)	
Substantial Gainful Activity(SGA)	\$ 1,350 per month <i>non blind</i> \$2,260 <i>blind</i>	
Spousal Impoverishment (eff 07/01/21)		
Minimum Monthly Maintenance Needs Allowance (MMMNA)	\$ 2,178	
CSMIA	\$ 3,260	
Excess Shelter Standard**	\$ 654	
CSRA	\$137,400	
Home Equity Interest Limit	\$ 636,000	
Transfer of Asset Divisor (eff 03/21)	\$ 9,703	
Community Hospice Allocations:		
Spouse only=	FBR (\$841)	
Spouse + Dependents or Dependents Only =	CNS Standard	

* These Standards change effective January 1 of each year in accordance with federal law.

** These Standards change effective April 1 of each year in accordance with federal law

SSI-RELATED MEDICAID

FACT SHEET



This Fact Sheet provides a general description and a brief overview of information about the coverage groups for individuals who are aged, blind, or disabled. The Department of Children and Families (DCF) determines eligibility. Federal regulations, Florida Statutes and Florida Administrative Rule contain specific policies for eligibility.

Note: The income standards generally change effective January and April of each year.

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The Florida Medicaid Programs

1. SSI Eligible Individuals (SSI-DA),
2. Institutional Care Program (ICP),
3. Eligible Individuals under SOBRA - Aged or Disabled (MEDS-AD),
4. Protected Medicaid (PM),
5. Medically Needy (MN),
6. Emergency Medicaid for Noncitizens (EMN),
7. Hospice,
8. Home and Community Based Services (HCBS) – THE WAIVERS,
9. Modified Project Aids Care (MPAC),
10. SSI-Related Programs for Refugees (RAP),
11. Qualified Medicare Beneficiaries (QMB),
12. Working Disabled (WD),
13. Special Low Income Medicare Beneficiary (SLMB),
14. Qualifying Individuals I (QI1), and
15. Program of All Inclusive Care for the Elderly (PACE)

Some of the Strategies

- Exempt Assets
- Converting Countable to Exempt
- Gifting
- Paying for Services
- Special Needs Trusts

Some of the Strategies

■ Exempt Assets

- Primary Residence
- Personal Property – Household Goods Burial/Funeral Arrangements and Plots
- Vehicle(s)
- Income Producing Property
- Life Estates in Real Estate
- Life Insurance
- Non-Negotiable Assets
- Loans and Promissory Notes

Some of the Strategies

- Transfer (Gifting) issues
 - Penalty periods
 - Exempt People

Some of the Strategies

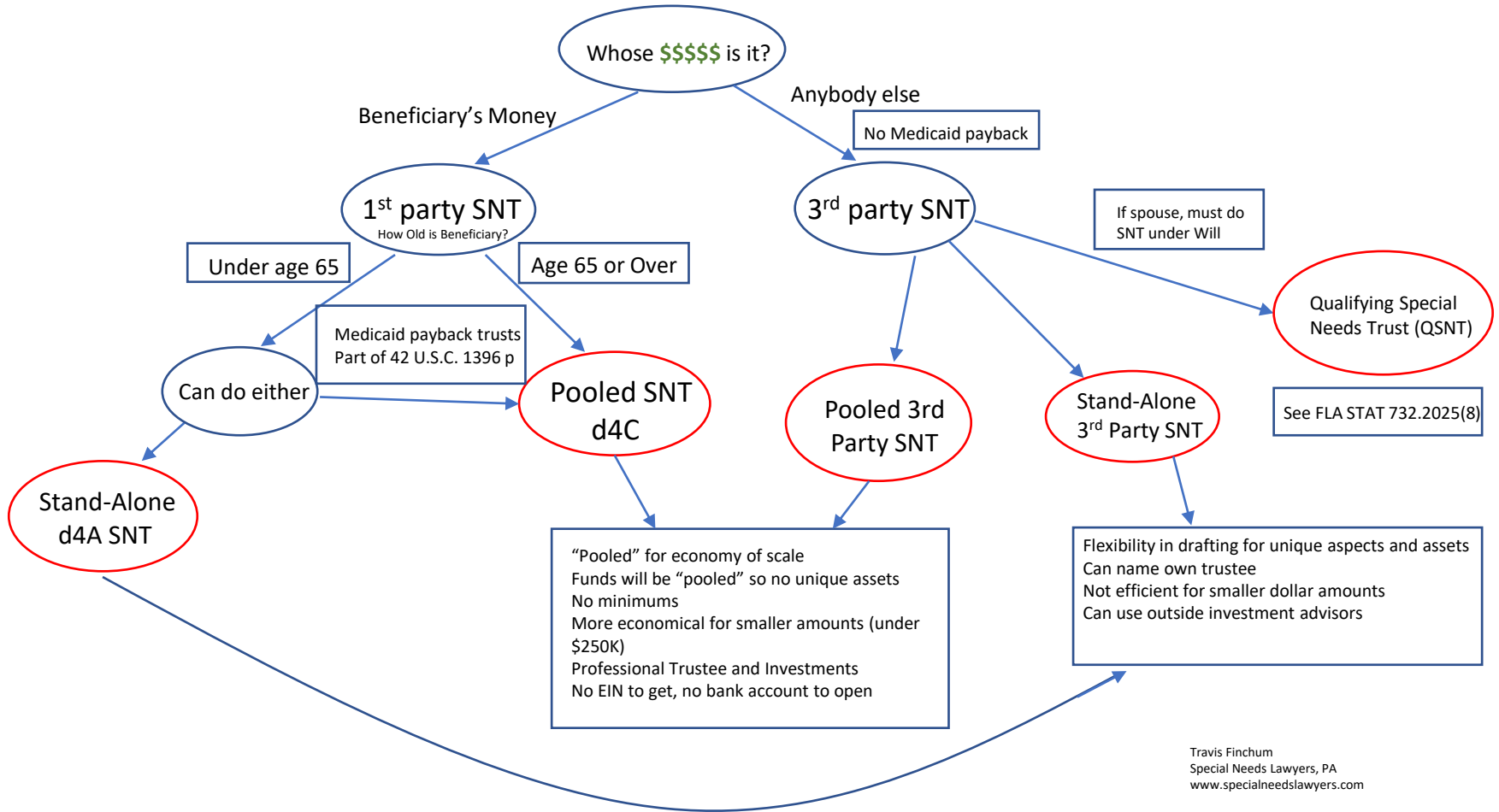
■ Other Strategies

- Support and Maintenance Agreements
- Annuities (Retirement Funds)
- Establishment of Joint Tenancy
- Promissory Notes
- Increase Community Spouse Resource Allowance
- Spousal Refusal
- Hardship Cases
- Half a Loaf Strategy
- Special Needs Trusts

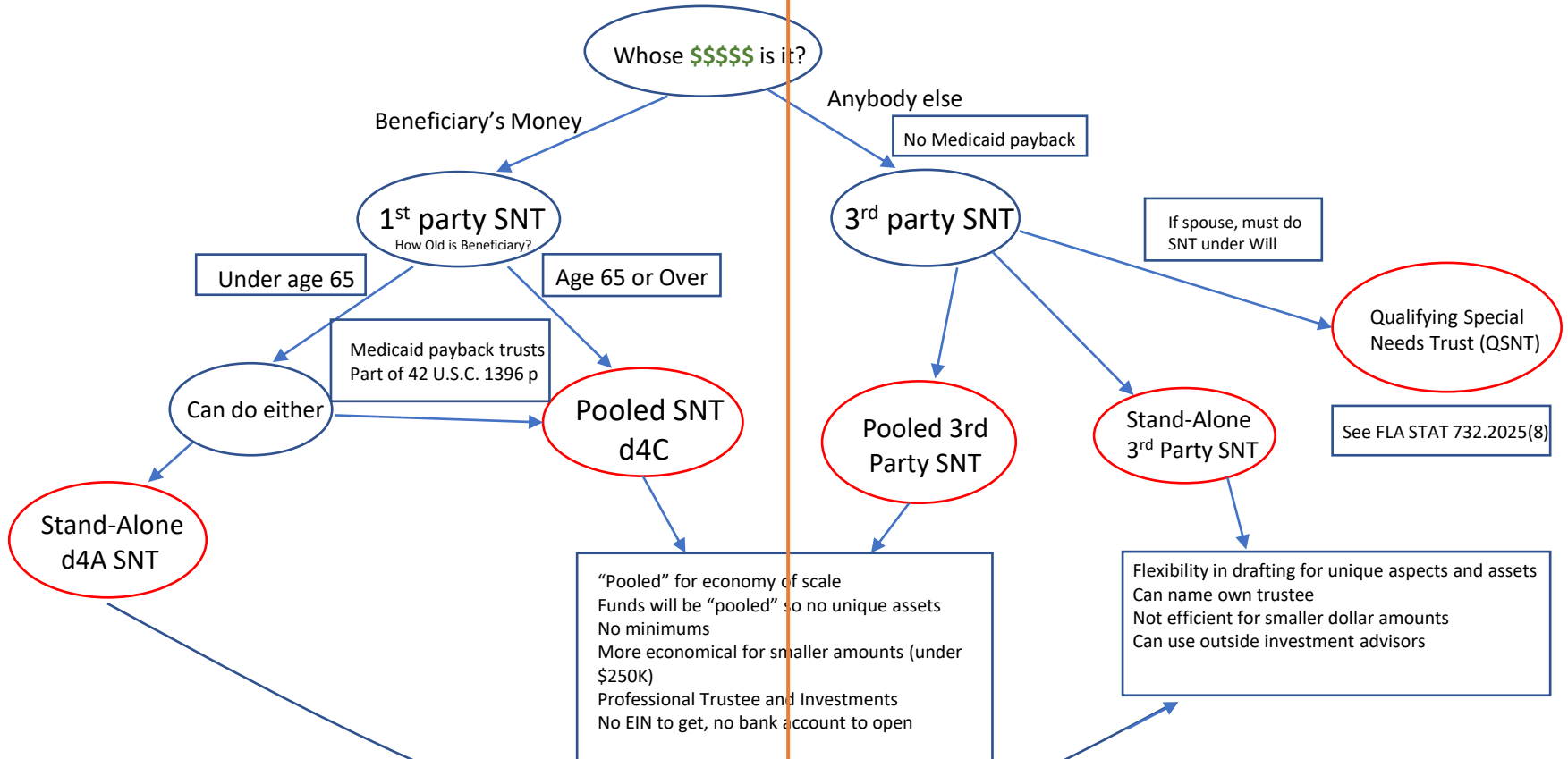
What Do We Mean by “Special Needs Trust”

- Under Age 65 Disabled Trust (d (4) (A)) – U65 Trust
- Pooled Trust (d (4) (C)) – Pooled Trust
- Qualified Income Trust (d (4) (B)) – QIT
- Third Party Special Needs Trust

SNT (Special Needs Trust) Analysis



SNT (Special Needs Trust) Analysis



Shelter Funds with SNT's

- Keeps the money for the ward
- Enhance life of ward
- Maintain a Home (or other exempt asset)
- Pay caregivers and other professionals

Miscellaneous Uses of SNT's

- Alimony Payments
- Child Support
- MSA's

Thank you!

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