

WAC 182-512-0250 SSI-related medical—Ownership and availability of resources. (1) The agency considers personal and real property to be available to a Washington apple health applicant or recipient if the applicant or recipient:

- (a) Owns the property;
- (b) Has the authority to convert the property into cash;
- (c) Can expect to convert the property to cash within twenty working days; and
- (d) May legally use the property for his or her support.

(2) The agency counts the resources of financially responsible persons (as defined in WAC 182-506-0015) who live in the home even if those persons do not receive Washington apple health coverage.

(3) For long-term care (LTC) services, cash and other resources transferred by a Washington apple health applicant or recipient or his or her spouse to another to pay for the Washington apple health applicant or recipient's LTC services are considered resources available to the applicant or recipient unless otherwise excluded in this chapter, chapter 182-513 WAC, or chapter 182-516 WAC.

(4) A resource is considered available on the first day of the month following the month of receipt unless a rule about a specific type of resource provides for a different time period.

(5) A resource that ordinarily cannot be converted to cash within twenty working days is considered unavailable as long as a reasonable effort is being made to convert the resource to cash.

(6) A person may provide evidence showing that a resource is unavailable. A resource is not counted if the person shows sufficient evidence that the resource is unavailable.

(7) We do not count the resources of victims of family violence, as defined in WAC 388-452-0010, when:

(a) The resource is owned jointly with members of the former household;

(b) Availability of the resource depends on an agreement of the joint owner; or

(c) Making the resource available would place the person at risk of harm.

(8) The value of a resource is its fair market value minus encumbrances.

(9) Refer to WAC 182-512-0260 to consider additional resources when an alien has a sponsor.

[Statutory Authority: RCW 41.05.021 and 41.05.160. WSR 20-08-079, § 182-512-0250, filed 3/27/20, effective 4/27/20; WSR 15-07-064, § 182-512-0250, filed 3/16/15, effective 4/16/15. Statutory Authority: RCW 41.05.021 and Patient Protection and Affordable Care Act (Public Law 111-148), 42 C.F.R. §§ 431, 435, 457 and 45 C.F.R. § 155. WSR 14-07-059, § 182-512-0250, filed 3/14/14, effective 4/14/14. WSR 11-24-018, recodified as WAC 182-512-0250, filed 11/29/11, effective 12/1/11. Statutory Authority: RCW 74.04.050, 74.08.090. WSR 04-09-002, § 388-475-0250, filed 4/7/04, effective 6/1/04.]