

WAC 182-513-1450 How the transfer of assets affects LTC partnership and medicaid eligibility. (1) If you transfer an asset within the sixty months prior to the medicaid application or after medicaid eligibility has been established, the agency will evaluate the transfer based on WAC 182-513-1363 and determine if a penalty period applies unless:

- (a) You have already been receiving institutional services;
 - (b) Your LTC partnership policy has paid toward institutional services for you; and
 - (c) The value of the transferred assets has been protected under the LTC partnership policy.
- (2) The value of the transferred assets that exceed your LTC partnership protection will be evaluated for a transfer penalty.
- (3) If you transfer assets with values that are protected, you lose that value as future protection unless all the transferred assets are returned.
- (4) The value of your protected assets less the value of transferred assets equals the adjusted value of the assets you are able to protect.

[Statutory Authority: RCW 41.05.021, 41.05.160, P.L. 111-148, 42 C.F.R. §§ 431, 435, and 457, and 45 C.F.R. § 155. WSR 17-03-116, § 182-513-1450, filed 1/17/17, effective 2/17/17. WSR 13-01-017, recodified as WAC 182-513-1450, filed 12/7/12, effective 1/1/13. Statutory Authority: RCW 74.04.050, 74.04.057, 74.08.090, 74.09.500, 74.09.530, section 6014 of the Deficit Reduction Act of 2005, WAC 284-83-140, 284-83-400, 284-83-405, 284-83-410, 284-83-415, 284-83-420, and chapter 48.83 RCW. WSR 11-23-106, § 388-513-1450, filed 11/18/11, effective 12/19/11.]