

# You Can Receive Medicaid Long Term Care Benefits at Home

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Did you know that residents of Pennsylvania who are over the age of 60 or have a disability and need long term care can receive Medicaid benefits not just in a nursing home but also while living at home? Most of us want to live at home as long as possible even if we need caregivers to help us stay at home. Through the Home and Community Based Services waiver program, Medicaid will pay for services in the home including paying for caregivers for the disabled and for seniors over the age of 60 years. The Medicaid programs under which Medicaid provides services in the home or community are called waiver programs because the Federal government has “waived” its requirement that all Medicaid services be provided in a nursing home. This waiver allows Medicaid services to be provided at home, as an alternative to nursing home care.

To qualify for a Medicaid waiver program, you must meet the same medical and financial eligibility requirements as those required to receive Medicaid benefits in a nursing home. For the medical eligibility determination, you, as the Medicaid applicant, must be evaluated by a county representative and a physician must certify that you require nursing home level of care.

Once you are found to be medically eligible, a county caseworker then determines your financial eligibility for Medicaid benefits. An elder law attorney can create a plan with you and your family to help preserve your assets and to expedite your financial eligibility for Medicaid benefits. In the determination of your eligibility for Medicaid benefits, Medicaid requires that the applicant’s assets be reduced to a Medicaid mandated amount, however, Medicaid permits you to convert countable assets to assets that are exempt for Medicaid purposes and if you are married, to transfer your assets to your spouse. Examples of exempt assets are your home; one automobile; irrevocable burial trusts that you use to prepay for the funeral expenses of yourself and your spouse; certain burial spaces purchased for you and your immediate family members; and your spouse’s retirement accounts. Additionally, if you are married, Medicaid will not consider a certain portion of your spouse's assets. With the guidance of an elder law attorney, under current law, most of the other assets you and your spouse own can also be preserved for your family although Medicaid may require that you change the way your assets are invested. If you are married, the result is that most of your assets are protected from consideration in the determination of your eligibility for Medicaid benefits. If you are not married, your eldercare plan can still protect many of your assets and expedite your eligibility for Medicaid benefits.

After the caseworker determines that you are eligible for Medicaid benefits, Medicaid will either permit you to keep all of your monthly income to support yourself in your home, or will require you to spend some of your income each month on your medical bills. Upon spending money on your medical bills, Medicaid then will pay for the balance of the monthly services you receive. Medicaid allows your spouse to keep all of his or her income to help support both of you in your home.

Upon approval for Medicaid benefits, Medicaid prepares a service plan that provides the type and amount of services Medicaid will provide to you each month. Some of the benefits your plan may include are the provision of medical equipment and supplies; transportation; home health services; and payment for certain modifications to your home, as well as caregiving services. Medicaid even permits the hiring of certain family members or trusted others to provide Medicaid caregiving services to you. After approval for Medicaid benefits and establishment of your service plan, Medicaid will pay for all caregiving and other services you receive in your home while your spouse retains all of his or her monthly income, you retain most, if not all, of your income and you and your spouse retain most of your assets. Contrary to the popular misconception, Medicaid does not require that you “spend-down” all of your savings to qualify for Medicaid benefits.

Through proper planning, you can preserve assets so you can afford to continue to live at home and yet expedite your eligibility for public benefits to provide you with the services you need to maximize your health and enjoyment of your life at home. An elder law attorney can guide you through the complicated process of Medicaid eligibility and protection of your assets so that you can achieve your goal of aging at home.