

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: OHIO

 MORE LIBERAL METHODS OF TREATING RESOURCES
 UNDER SECTION 1902(r)(2) OF THE ACT

1902(r)(2)

1917(b)(1)(C)

The following more liberal methodology applies to individuals who are eligible for medical assistance under one of the following eligibility groups:

1. Mandatory categorically needy, including aged, blind or disabled groups for which the state uses a more restrictive policy under 1902(f).
2. All optional categorically needy groups as described in 1902(a)(10)(A)(ii).

An individual who is a beneficiary under a long-term care insurance policy that meets the requirements of a "qualified state long-term care insurance partnership" policy (partnership policy) as set forth below, is given a **resource disregard** as described in this amendment. The amount of the disregard is equal to the amount of the insurance benefit payments made to or on behalf of the individual. The term "long-term care insurance policy" includes a certificate issued under a group insurance contract.

For purposes of eligibility determination, during the person's lifetime, disregard the value of resources, or any additional resources received after initial eligibility, in an amount not to exceed the dollar amount of long-term care benefits utilized under a partnership policy.

1917(d)(4)(A) and (C)

1917(e)

Exclude from resources that may be disregarded the resources in a trust under 1917(d)(4)(A) and (C) or annuities and similar legal instruments under 1917(e).

- X The State Medicaid Agency (Agency) stipulates that the following requirements will be satisfied in order for a long-term policy to qualify for a disregard. Where appropriate, the Agency relies on attestations by the Superintendent of Insurance or other State official charged with regulation and oversight of insurance policies sold in the state, regarding information within the expertise of the State's Insurance Department.

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Qualified Policy - The policy is a qualified long-term care insurance policy as defined in section 7702B(b) of the Internal Revenue Code of 1986.

Model Act - The policy meets the requirements of the long-term care insurance model regulation and long-term care insurance model act promulgated by the National Association of Insurance Commissioners (as adopted as of October 2000) as those requirements are set forth in section 1917(b)(5)(A) of the Social Security Act.

Issue Date - The policy, if issued in this State, was issued no earlier than the effective date of this State plan amendment. The policy, if issued in another state, was issued no earlier than the effective date of the State plan amendment for long term care insurance partnerships of that state.

Reciprocity - The insured individual was a resident of a Partnership State when coverage first became effective under the policy. If the policy is later exchanged for a different long-term care policy, the individual was a resident of a Partnership State when coverage under the earliest policy became effective.

Inflation Protection - The policy meets the inflation protection requirements set forth in section 1917(b)(1)(C)(iii)(IV) of the Social Security Act.

Uniform Data Set - The Superintendent of Insurance requires the issuer of the policy to make regular reports to the Secretary that include notification regarding when benefits provided under the policy have been paid and the amount of such benefits paid, notification regarding when the policy otherwise terminates, and such other information as the Secretary determines may be appropriate to the administration of such partnerships.

Application of Requirements to Non-Partnership Policies - The State does not impose any requirement affecting the terms or benefits of a partnership policy that the state does not also impose on non-partnership policies.

Agent Training - The Department of Insurance assures that any individual who sells a partnership policy receives training, and demonstrates evidence of an understanding of such policies and how they relate to other forms of public and private coverage of long-term care.

Technical Assistance by Medicaid Agency to Insurance Agency Regarding Agent Training - The Agency provides information and technical assistance to the Department of Insurance regarding the training described above.