Starting Soon.....

Medicaid Monday: The 2025 Medicaid Update

January 13, 2025

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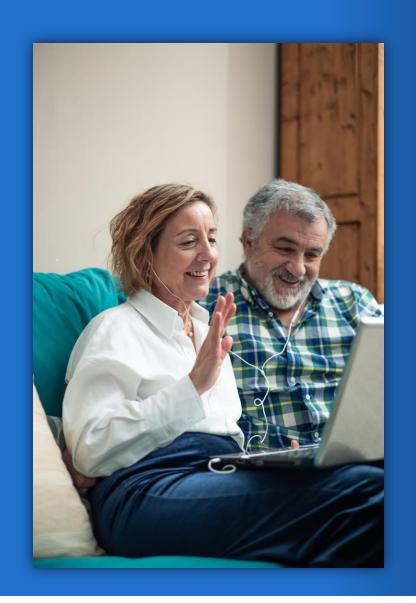
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Welcome

- Your Lines Are Muted
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- Presentation is Posted:
 Pierrolaw.com/Resources Under
 Medicaid Planning
- Fill Out Our Survey with Feedback





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Agenda 1.13.25

- Key questions about long-term care
- New eligibility numbers: surprise?
- How is income calculated?
- What assets are countable or exempt?
- Regional rates and the penalty calculation
- What this means for applicants and their families





Key Questions on Paying for LTC

- 1. Where would you want to live?
- 2. Who would take care of you?
- 3. **How** would you pay for it?

Self-Insuring

Private LTC
Insurance
+ Life
Products

Medicaid







Medicare vs. Medicaid



Medicare does not cover long-term care

Medicaid is the only government program that pays for long-term care



NEW 2025 MEDICAID ELIGIBILITY NUMBERS

Monthly Income						
	2025	2024	Difference			
Individual (at home)	\$1,732 +\$20	\$1,732 +\$20	\$0!			
Couple (both at home)	\$2,351 +\$20	\$2,351 +\$20	\$0!			
Community Spouse Income Allowance	\$3,948.00	\$3,853.50	+\$94.50			
Institutionalized Spouse Income Allowance	\$ 50					

NEW 2025 MEDICAID ELIGIBILITY NUMBERS

Resources						
	2025	2024	Difference			
Individual	\$31,175	\$31,175	0!			
Couple Comm. Spouse Resource	\$42,312	\$42,312	0!			
Allowance	\$74,820 ¹					

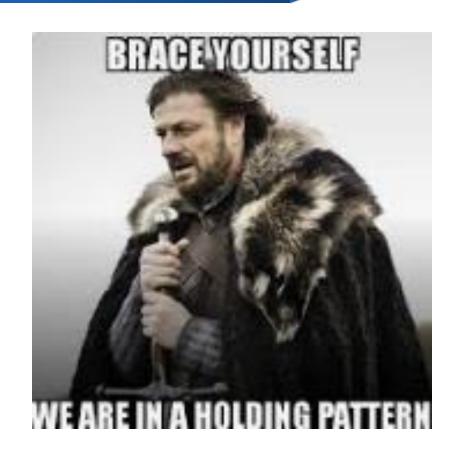
I - \$74,820 (or the spousal share of I/2 combined resources up to a maximum of \$157,920 (up \$3,780 from 2024)



NO Change to Income or Assets???

Plausible Explanation: They're likely to change.

- The federal poverty level (FPL) for 2025 has not been announced yet once that information has been announced changes to Medicaid eligibility in New York are likely.
- So stay tuned...









Some assets that are exempt:

- **\$31,175**
- One Car
- Pre-paid burial
- Income producing property business assets
- Life insurance face value less than \$1,500!



IRA in "Periodic Payment Status" - major exception





Your Home

- Exempt if you, a spouse or minor or disabled child lives there
- Transfer exemptions
- Intent to return home

Liens + Estate Recovery







Home? Or The Nursing Home?

Community Medicaid

- Home health care
- Assisted living facility
- Medicaid managed long-term care
- Adult day care
- No lookback under current rules

Chronic Care Medicaid

- Nursing home care
- 5-year lookback
- Transfer penalties = # of mos.
- No lookback for transfers yet







Home Care: Window Of Opportunity Still Open

No lookback for asset transfers until some point in 2025

- -based on current DOH Guidance
- Implementation of law imposing a 30month lookback on applicants for asset transfers after Oct. 2020 has been delayed multiple times









<u>Impacts Today:</u>

- Legal planning can be done to become Medicaid-eligible without penalty
- Higher income/asset limits established in 2023 continue to allow seniors to keep more of what they have
- Many who would benefit still require a plan to become eligible







- Excess Income above \$1,752 per month goes in
- Expenses get paid by Pooled Trust Trustee
 - What expenses qualify?
 - Mortgage Payments
 - Utility Payments
 - Tax Payments
 - Home Improvements
 - Food Payments
 - Additional Care if Medicaid isn't providing all that's needed
 - Monthly service costs for in-home technology







Navigating Home Care Once Approved

There are different kinds of Medicaid programs one can choose from, including:

- Managed Long-Term Care (MLTC)
 - Personal Care Services Program (PCSP)
 - Consumer Directed Personal Assistance Program (CDPAP)
 - Changes coming described later in this program
- 2. Nursing Home Transition and Diversion Medicaid Waiver Program (NHTD)
- Program for All-Inclusive Care for the Elderly (PACE)

Key is to work with a qualified team of professionals to help select the base fit for all involved







Applies to Nursing Home/ Chronic
 Care Medicaid

 All transfers of non-exempt assets are added up- 5 years worth

The total is then divided by the NYS divisor = average monthly nursing home cost







5-Year Look Back And Medicaid Penalty

Common examples of transactions that can lead to a penalty:

- Deeding a house to your children
- Money gifted to a grandchild for graduation
- Large gift to your church or charity

Exceptions

- Transfers to a spouse or disabled child
- Transfers of the home to certain beneficiaries







2024 NYS Medicaid Regional Rates – STILL IN USE AS OF NOW

Region	Counties	2024	2023
New York City	Bronx, Kings (Brooklyn), NY (Manhattan), Queens, Richmond (Staten Island)	\$14,273	\$14,142
Long Island	Nassau, Suffolk	\$14,668	\$14,136
Northern Metropolitan	Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester	\$14,165	\$13,906
Western (Buffalo)	Alleghany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, Wyoming	\$12,241	\$12,130
Northeastern (Albany)	Albany, Clinton, Columbia, Delaware, Essex, Franklin, Fulton, Greene, Hamilton, Montgomery, Otsego, Rensselaer, Saratoga, Schenectady, Schoharie, Warren, Washington	\$13,235	\$12,744
Rochester	Chemung, Livingston, Monroe, Ontario, Schuyler, Seneca, Steuben, Wayne, Yates	\$14,419	\$13,421
Central (Syracuse/Utica)	Broome, Cayuga, Chenango, Cortland, Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego, St. Lawrence, Tioga, Tompkins	\$12,196	\$11,726



The Medicaid Penalty

The penalty is a number of months of ineligibility

- For example, Albany resident transfers \$152,928 within the past 5 years:
 - \$158,820 / \$13,235 = 12 months w/o Medicaid
- Penalty period begins when person is:
- 1. Receiving Care in a Nursing Home
- 2. Is otherwise eligible \$31,175 or less of countable assets
- 3. Has submitted a Medicaid application



Who pays during the penalty period? The applicant!







Medicaid Home Care:

- 1. Expected implementation of 30-month lookback =
 - >Time for Planning/Asset Protection or help NOW if needed
- 2. Continued shortage of care workers, mostly in rural areas
- 3. Once qualified, a BIG change to your options for "Managed Long-Term Care" on April 1...





Consumer-Directed Personal Assistance Program (CDPAP)

What is it? A Medicaid program to give recipients flexibility and freedom in choosing their caregivers

- As of April 1, 2025, a Georgia-based company Public Partnership, LLC, will administer the program, taking the place of over 600+ entities.
- Consumers must switch to PPL
 - **On January 7, 2025 Governor Hochul announced new CDPAP partnership with 30 Community Based Partners, including 11 Independent Living Centers across NY to support PPL in transition to being sole fiscal intermediary for CDPAP.**



What This Means For Now

- You do not need to do anything today.
 - Your current FI will not be closed by DOH until 3/31/25.
 - You do not have to switch to LHCSA services or have PAs become licensed PCAs.
 - Change Fls to PPL, or potentially to a facilitator (core lead agency or subcontractor that works with PPL
- You <u>do</u> need to pay attention and double check information.





RECAP: New York Medicaid 2025

- New eligibility numbers are expected once the Federal Poverty Level information is released.
- Consumer-Directed Assistance is changing to a Single Fiscal Intermediary on 4/1/25
- Proactive planning is the key
- Assets can still be saved with legal planning in a crisis when LTC is needed.
- Never 'spend down' before speaking with an elder law attorney



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