Push for At-Home Care as an Alternate to Nursing Home Care and Medicaid Update 2023

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Since the beginning of the COVID-19 pandemic there has been a push among families to keep their loved ones at home as an alternative to nursing home care. This has been prompted by the shortage of nursing home staff and the possibility of contracting an illness in a group setting. However, both skilled nursing services in a long-term care facility and at-home nursing care can be costly and many families need assistance in order to cover those costs.

Due to the eligibility requirements for Medicaid, it is important that people plan for the possibility that they, or one of their loved ones, may need to apply for Medicaid in the future in order to cover skilled nursing or at-home care. The best way to do this is by contacting an attorney who has a strong background in Medicaid planning.

For nursing home coverage there is currently a 60-month lookback period and for community based long term care services (at-home care) New York is implementing a 30-month lookback period. Any gifting that was done during this lookback period will be evaluated by the worker reviewing the Medicaid application, and there is a possibility that the gifting may result in a penalty period. During this penalty period, the applicant will not be eligible for

Medicaid.

Medicaid eligibility is expanding beginning January 2023. Income limits for “Non-MAGI” Medicaid (Medicaid for people 65 and over, blind or disabled) are increasing. In 2022 the income limit was $934/ month for a single person and $1,367/ month for a couple. That amount has increased for 2023 to $1,563/ month for a single person and $2,106/ month for a couple. Additionally, the asset limit for “Non-MAGI” Medicaid is increasing by nearly 50 percent for 2023. The asset limit for a single person will increase from $16,800.00 in 2022 to $28,134.00 in 2023, and the asset limit for a couple will increase from $24,600.00 in 2022 to $37,908.00 in 2023.

For questions or more information, contact practice team leader David Siegfeld, 518.462.0110 x1425 or any attorneys in our Trusts & Estates practice at Lippes Mathias LLP to schedule a consultation.

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