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Title 22@ Social Security

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Division 3@ Health Care Services

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Subdivision 1@ California Medical Assistance Program

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Chapter 2@ Determination of Medi-Cal Eligibility and Share of Cost

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Article 9@ PROPERTY

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Section 50421@ Limits and Methods of Property Determination for the Qualified Medicare Beneficiary (QMB) or the

Specified Low-Income Medicare Beneficiary (SLMB)

50421 Limits and Methods of Property Determination for the Qualified Medicare Beneficiary (QMB) or the Specified Low-Income Medicare Beneficiary (SLMB)

(a)

To qualify for the QMB or SLMB programs, the net nonexempt property of a QMB or SLMB applicant/beneficiary cannot exceed twice the Supplemental Security Income (SSI) program property limit. (1) Adult. (A) A QMB or SLMB applicant/beneficiary who is married or is 18 years of age or older shall be considered an adult for purposes of this section. (B) Only the property of the QMB or SLMB applicant/beneficiary and his/her spouse, if living in the home, shall be considered in determining net nonexempt property. Such property shall be determined in accordance with Article 9 and shall be compared to twice the SSI property limit for one person (or two persons, if the spouse is living in the home). (2) Child. (A) A QMB or SLMB applicant/beneficiary who is unmarried and younger than 18 years of age shall be considered a child for purposes of this section. (B) Net nonexempt property shall be determined in accordance with article 9. Only the property of the QMB or SLMB child and his/her parent(s) shall be considered in determining net nonexempt property. For purposes of this subsection, the parent(s) includes stepparent(s). (C) The parent(s)'s net nonexempt property shall be compared to the SSI property limit for one or two persons (depending upon the number of parents in the home). If the parent(s)'s net nonexempt property does not exceed

this property limit, only the QMB or SLMB child's property shall be considered. If the parent(s)'s net nonexempt property exceeds the SSI property limit, the excess amount over the SSI property limit shall be added to the QMB or SLMB child's own net nonexempt property. The QMB or SLMB child's total net nonexempt property shall be compared to twice the Medi-Cal property limit for one person. (D) If there are two or more QMB or SLMB children in the home, the excess amount of the parent(s)'s net nonexempt property over the SSI property limit shall be divided by the number of QMB or SLMB children and that quotient added to each child's net nonexempt property. The net nonexempt property of the QMB or SLMB child shall no longer be increased by his/her share of the parental allocation when: 1. The parental allocation of net nonexempt property when added to the QMB or SLMB child's own net nonexempt property exceeds twice the SSI property limit for one person, or 2. The QMB or SLMB child is found ineligible as a QMB or SLMB for any other reason. When a QMB or SLMB child no longer qualifies to receive a share of the parent(s)'s nonexempt property, the parent(s)'s net nonexempt property shall then be redivided by the number of remaining QMB or SLMB children in the home and that quotient added to the net nonexempt property of each of those children.

(1)

Adult. (A) A QMB or SLMB applicant/beneficiary who is married or is 18 years of age or older shall be considered an adult for purposes of this section. (B) Only the property of the QMB or SLMB applicant/beneficiary and his/her spouse, if living in the home, shall be considered in determining net nonexempt property. Such property shall be determined in accordance with Article 9 and shall be compared to twice the SSI property limit for one person (or two persons, if the spouse is living in the home).

(A)

A QMB or SLMB applicant/beneficiary who is married or is 18 years of age or older shall be

considered an adult for purposes of this section.

(B)

Only the property of the QMB or SLMB applicant/beneficiary and his/her spouse, if living in the home, shall be considered in determining net nonexempt property. Such property shall be determined in accordance with Article 9 and shall be compared to twice the SSI property limit for one person (or two persons, if the spouse is living in the home).

(2)

Child. (A) A QMB or SLMB applicant/beneficiary who is unmarried and younger than 18 years of age shall be considered a child for purposes of this section. (B) Net nonexempt property shall be determined in accordance with article 9. Only the property of the QMB or SLMB child and his/her parent(s) shall be considered in determining net nonexempt property. For purposes of this subsection, the parent(s) includes stepparent(s). (C) The parent(s)'s net nonexempt property shall be compared to the SSI property limit for one or two persons (depending upon the number of parents in the home). If the parent(s)'s net nonexempt property does not exceed this property limit, only the QMB or SLMB child's property shall be considered. If the parent(s)'s net nonexempt property exceeds the SSI property limit, the excess amount over the SSI property limit shall be added to the QMB or SLMB child's own net nonexempt property. The QMB or SLMB child's total net nonexempt property shall be compared to twice the Medi-Cal property limit for one person. (D) If there are two or more QMB or SLMB children in the home, the excess amount of the parent(s)'s net nonexempt property over the SSI property limit shall be divided by the number of QMB or SLMB children and that quotient added to each child's net nonexempt property. The net nonexempt property of the QMB or SLMB child shall no longer be increased by his/her share of the parental allocation when: 1. The parental allocation of net nonexempt property when added to the QMB or SLMB child's own net nonexempt property exceeds twice the SSI property limit for one person, or 2. The QMB

or SLMB child is found ineligible as a QMB or SLMB for any other reason. When a QMB or SLMB child no longer qualifies to receive a share of the parent(s)'s nonexempt property, the parent(s)'s net nonexempt property shall then be redivided by the number of remaining QMB or SLMB children in the home and that quotient added to the net nonexempt property of each of those children.

(A)

A QMB or SLMB applicant/beneficiary who is unmarried and younger than 18 years of age shall be considered a child for purposes of this section.

(B)

Net nonexempt property shall be determined in accordance with article 9. Only the property of the QMB or SLMB child and his/her parent(s) shall be considered in determining net nonexempt property. For purposes of this subsection, the parent(s) includes stepparent(s).

(C)

The parent(s)'s net nonexempt property shall be compared to the SSI property limit for one or two persons (depending upon the number of parents in the home). If the parent(s)'s net nonexempt property does not exceed this property limit, only the QMB or SLMB child's property shall be considered. If the parent(s)'s net nonexempt property exceeds the SSI property limit, the excess amount over the SSI property limit shall be added to the QMB or SLMB child's own net nonexempt property. The QMB or SLMB child's total net nonexempt property shall be compared to twice the Medi-Cal property limit for one person.

(D)

If there are two or more QMB or SLMB children in the home, the excess amount of the parent(s)'s net nonexempt property over the SSI property limit shall be divided by the number of QMB or SLMB children and that quotient added to each child's net nonexempt property. The net nonexempt property of the QMB or SLMB child shall no longer be increased by his/her share of the parental allocation when: 1. The parental allocation of net nonexempt property

when added to the QMB or SLMB child's own net nonexempt property exceeds twice the SSI property limit for one person, or 2. The QMB or SLMB child is found ineligible as a QMB or SLMB for any other reason. When a QMB or SLMB child no longer qualifies to receive a share of the parent(s)'s nonexempt property, the parent(s)'s net nonexempt property shall then be redivided by the number of remaining QMB or SLMB children in the home and that quotient added to the net nonexempt property of each of those children.

1.

The parental allocation of net nonexempt property when added to the QMB or SLMB child's own net nonexempt property exceeds twice the SSI property limit for one person, or

2.

The QMB or SLMB child is found ineligible as a QMB or SLMB for any other reason. When a QMB or SLMB child no longer qualifies to receive a share of the parent(s)'s nonexempt property, the parent(s)'s net nonexempt property shall then be redivided by the number of remaining QMB or SLMB children in the home and that quotient added to the net nonexempt property of each of those children.