

Revisions: HCFA-PM-95-3 (MB)

May 1995

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: Iowa

(b) Adjustments or Recoveries

The state complies with the requirements of section 1917(b) of the Act and regulations at 42 CFR 433.36(h)-(i).

Adjustments or recoveries for Medicaid claims correctly paid are as follows:

- (1) For permanently institutionalized individuals, adjustments or recoveries are made from the individual's estate or upon sale of the property subject to lien imposed because of medical assistance paid on behalf of the individual for services provided in a nursing facility, ICF/MR, or other medical institution.

     Adjustments or recoveries are made for all other medical assistance paid on behalf of the individual.

- (2)   X   The State determines "permanent institutional status" of individuals under the age of 55 other than those with respect to whom it imposes liens on real property under § 1917(a)(1)(B) (even if it does not impose liens).

- (3) For any individual who received medical assistance at age 55 or older, adjustments or recoveries of payments are made from the individual's estate for nursing facility services, home and community-based services, and related hospital and prescription drug services.

  X   In addition to adjustment or recovery of payments for services listed above, payments are adjusted or recovered for other services under the state plan as listed below:

All services for individuals age 55 and over, except for Medicare cost sharing benefits identified as follows in 4.17(b)(3) – Continued and assets or resources disregarded per Attachment 2.6-A, Supplement 8b, at A. and B. as indicated in 4.17(b)(4)

TN No. MS-10-011  
Supersedes  
TN No. MS-10-010

DEC 09 2010  
Approval Date: DEC 09 2010  
Effective Date:

Revision: HCFA-PM-95-3 (MB)  
MAY 1995

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: Iowa

- (4)  If an individual covered under a long-term care insurance policy received benefits for which assets or resources were disregarded as provided for in Attachment 2.6-A, Supplement 8b for long-term care insurance the State does not seek adjustment or recovery from the individual's estate for the amount of assets or resources disregarded.

TN No. MS-10-011  
Supersedes  
TN No. MS-96-2

Approval Date SEP 08 2010

Effective Date JUL 01 2010

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Iowa

MORE LIBERAL METHODS OF TREATING RESOURCES  
UNDER SECTION 1902(f)(2) OF THE ACT (Cont.)

Section 1902(f) State  Non-Section 1902(f) State

A. An asset disregard is given to an individual who has purchased a precertified long-term care insurance policy and has used such policy to pay for certain medical costs, as follows:

1. Long-term nursing care in nursing facilities and care in an acute care hospital at the SNF or NF level of care.  
42 CFR 440.150, 42 CFR 440.140, 42 CFR 440.10, and 42 CFR 440.40
2. Home health services, as defined in 42 CFR 440.70.
3. Home- and community-based services (HCBS) as defined in the Iowa HCBS Waiver for the Elderly (Waiver Number 40155), approved under Section 1915(c) of the Social Security Act.

Costs paid by precertified long-term care insurance policies for home health services and for home- and community-based services are used to calculate the amount of the asset disregard only if such services are provided in accordance with a plan of care approved by a peer review committee.

B. An asset disregard is given to an individual who has purchased a certified long-term care insurance policy that meets the criteria in Iowa Code Chapter 514H and has used such policy to pay for qualified long-term care services as defined in section 7702B(c) of the Internal Revenue Code.

Effective January 1, 2010, Iowa shall accept the reciprocity standards as promulgated pursuant to Section 6021(b) of Public Law 109-171 with respect to all other states agreeing to participate under such reciprocity standards.

TN No. MS-10-011  
Supersedes  
TN No. MS-09-013

Approval Date DEC 09 2010 Effective Date JUL 01 2010

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Iowa

- C. The disregard of assets provided in A and B above is allowed for individuals under the following coverage groups:
1. Those who are being paid, or who are eligible for, or would be eligible if they were not in a medical institution, to have paid with respect to their Supplemental Security Income or a State supplementary payment. They are described at sections 1902(a)(10)(A)(ii)(IV) of the Social Security Act and are in 42 CFR 435.211.
  2. Those who would be eligible for Medicaid if they were in a medical institution, who but for the provision of home- and community-based services under a waiver granted under 42 CFR Part 441, Subpart G would require institutionalization, and who receive home- and community-based services under the waiver as described in 42 CFR 435.217.
  3. Those who are in a medical institution for at least 30 consecutive days and who are eligible under a special income level. They are described at section 1902(a)(10)(A)(ii)(V) of the Act.
- D. The amount of the disregard provided in A and B above is equal to the amount of the insurance benefit payments made to or on behalf of the individual for services in A and B above.

This disregard is in effect for the lifetime of the individual. The disregard is also allowed if a Medicaid application is filed on behalf of a deceased individual for payment of costs for care and services received by the individual during his or her lifetime. Such care and services must have been provided to the individual in or after the third month before the month of application.

TN No. MS-10-011  
Supersedes  
TN No. MS-09-013

Approval Date DEC 09 2010 Effective Date JUL 01 2010

Substitute per letter dated 01/26/01

Revision: HCFA-PM-91-4 (BPD)  
August 1991

SUPPLEMENT 8b TO ATTACHMENT 2.6-A  
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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Iowa

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

E. Eligibility of Children

The countable resources of all family members are disregarded when determining Medicaid eligibility of children in the following coverage groups:

- All individuals who are not described in section 1902(a)(10)(A)(i) of the Act, who meet the income requirements of the AFDC State Plan, and who are under the age of 21. 1902(a)(10)(A)(ii)(I), 1905(a)(i)
- Infants under 1 year of age with family incomes up to 185% of the federal poverty level. 1902(a)(10)(A)(i)(IV), 1902(l)(1)(A) and (B)
- Children who have attained 1 year of age but who have not attained 6 years of age with family incomes at or below 133% of the federal poverty level. 1902(a)(10)(A)(i)(VI), 1902(l)(1)(C)
- Children born after July 1, 1979, who have attained 6 years of age but have not attained 19 years of age with family incomes at or below 100% of the federal poverty level. 1902(a)(10)(A)(i)(VII), 1902(l)(1)(D)
- Individuals who meet the income requirements of SSI or an optional State supplemental as specified in 42.CFR 435.230, but who do not receive cash assistance and who are under the age of 21. 1902(a)(10)(A)(ii)(I), (IV); 1905(a)
- Individuals who are in institutions for at least 30 consecutive days and who are eligible under a special income level and who are under the age of 21. 1902(a)(10)(A)(ii)(V), 1905(a)(i)
- Individuals under age 18 who, but for income, would be eligible under section 1902(a)(10)(A)(i) of the Act. 1902(a)(10)(C)(ii)(I) (Medically Needy children under age 18)
- Individuals who have attained age 18 but have not attained age 21 who, but for income, would be eligible under section 1902(a)(10)(A)(ii) of the Act. 1902(a)(10)(C); 42 CFR 435.308 (Medically Needy children aged 18, 19, or 20)

TN No. MS-10-011

Supersedes

TN No. MS-09-013

Approval Date

DEC 9 2010

Effective Date

JUL 01 2010

HCFA ID: 7985E

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Iowa

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

F. The following resources are disregarded for disabled individuals under Section 1902(a)(10)(A)(ii)(XIII) of the Act:

- ◆ \$10,000 worth of resources.

In addition to the above, the following when applicable:

- ◆ Pension or retirement funds or accounts authorized under federal law and retirement plans established pursuant to a "qualified domestic relations order" as defined by federal law.(26 U.S.C. § 414).
- ◆ Accounts set aside for assistive technology services or devices which can reasonably be expected to enhance the individual's employment when the usefulness for such technology has been verified by a physician, certified vocational rehabilitation counselor, licensed physical therapist, licensed speech therapist, or licensed occupational therapist.
- ◆ Medical savings accounts exempt from federal income taxation pursuant to Section 220 of the United States Internal Revenue Code (26 U.S.C. § 220).

TN No. MS-10-011

Supersedes

TN No. MS-09-013

Approval Date

DEC 09 2010

Effective Date

JUL 01 2010

HCFA ID: 7985E