477-000-052 – Non-MAGI Resource Verification Plan

Nebraska's Non-MAGI Resource Eligibility Verification Plan for Medicaid

The Department will verify those resources declared by the client or appearing on electronic data sources. When verifying resources, the Department will also consider the possibility of ownership of resources that are not declared by the client, review past records, and, if there are resources listed, determine if they are still available.

The ABD program follows SSI rules; Title 477 regulations continue to require verification of resources to determine initial and ongoing eligibility for clients with disabilities and aging adults and clients who are medically needy with a share of cost.

When required, resource ownership must be verified (initially or when reported). The following information is needed for each resource that requires verification: Description (e.g., account number, policy number, or legal description), location, current value, ownership, and source of verification with the date verified. The Department can assist the client in obtaining requested information. The client should contact the Department if they are unable to obtain the requested verifications or if they wish to verify the information by phone via a conference call.

The Department will review resources to determine if a deprivation has occurred. However, a deprivation penalty is only imposed if the client enters or receives institutionalized level of care such as:

- Services received in a hospital;
- Nursing facility;
- Intermediate care facility;
- Home and community-based services (HCBS) provided in the home or an assisted living facility; or
- Program for all-inclusive care for the elderly (PACE) services provided in the home or in a facility.

See the subsequent pages for definitions, verification sources when verification is required, and potential exemptions.

A. Accounts

	Cash on Hand	Bank Accounts	Nursing Home Accounts
Definition	Funds not accounted for or deposited in any other resource.	Funds deposited and held by a financial institution. e.g., Checking, savings, online banks, credit union, (such as Ally, CHIME, Green Dot, NetSpend) ABLE (ENable), college savings (NEST 529), etc.	A special account for the residents personal funds.
Verification Source	Client declaration is acceptable.	 Bank Accounts will be verified electronically if available through the Asset Verification System (AVS). The most recent monthly statement with ending monthly balance. Statement should include: Client name. Financial institution/bank name. Date. Account number (at least the last 3 digits), if applicable. Account balance. If needed, a conference call may be made to the financial institution to obtain the information. 	Attestation is accepted unless there is questionable information that needs to be verified or the declared balance results in excess resources. When required, the facility may provide verbal or paper verification to include: •Lowest daily balance; •Date of income deposit(s); and •Date facility payment was made.
When to Verify	 At initial and renewal applications. If client reports a change that affects eligibility. 	 At initial and renewal applications. If client reports a change that affects eligibility. 	•At initial and renewal applications. •If client reports a change that affects eligibility.
Exemptions, Disregards and Comments	N/A	N/A	N/A
Questions to Consider	N/A	Do you have any shared accounts – If so with whom? •Do you have separate accounts for farming, self-employment, or student loans? •Do you have a debit card for the deposit of benefits? •Do you have a payee? • Why is there a different address on your statement?	 Do you have any accounts with the facility that you reside in? Is this account held at the nursing home or an outside financial institution? Do you have any accounts in addition to your bank?

Accounts Continued

	Direct Express Card and Relia Card	Guardian or Conservator Funds
Definition	 Direct Express Cards are electronic benefits cards issued by Social Security for deposit of benefits. Relia Cards are State of Nebraska issued US Bank electronic benefits cards for unemployment, child support or AABD/ADC grant payments. Note: Social Security requires the electronic deposit of benefits into either a bank account or on a Direct Express card. It is rare that a client will receive funds on a paper check. 	Financial account that the guardian manages for the client; these are the clients funds.
Verification Source	Attestation is accepted unless there is questionable information that needs to be verified, or if the declared balance results in excess resources. The most recent monthly statement with transactions and balance. Statement should include: • Client name. • Client name. • Date. • Account number (at least the last 3 digits), if applicable. • Transaction history and account balance. • If needed, a conference call may be made to the financial institution to obtain the information.	Guardian or Conservator Funds will be verified electronically if available through the Asset Verification System (AVS). The most recent monthly statement with ending monthly balance. Statement should include: • Client name. • Financial institution/bank name • Date. • Account number (at least the last 3 digits), if applicable. • Account balance. • If needed, a conference call may be made to the financial institution to obtain the information.
When to Verify	 At initial and renewal applications. If client reports a change that affects eligibility. 	 At initial and renewal applications. If client reports a change that affects eligibility.
Exemptions, Disregards and Comments	N/A	• The Guardian/Conservator's Report to the Court can be accepted as verification of the account, if concurrent with the client's Medicaid renewal (within 30 days).
Questions to Consider	 Do you have a debit card that your benefits are deposited onto? Do you have a payee? Do you have a debit card that you receive child support, unemployment, AABD or ADC grant payments deposited onto? 	 Do you have any accounts in addition to your bank? Does anyone manage your funds or assets for you?

B. Burial Funds

	Pre-Need Burial Trust	Burial Insurance Policy	Burial Space Items Held in Contract
Definition	Funds in a trust fund created for the purpose of a prearranged funeral plan.	Insurance whose terms specifically provide that the proceeds can be used only to pay the burial expenses of the insured.	Contract that must state the individual has purchased particular burial space items for a specified price. The contract may be revocable or irrevocable as long as the agreement itself represents the individual's ownership.
Verification Source	A signed copy of the complete Burial Trust contract. A copy of the burial worksheet from the mortuary is needed if the amount is above the specified maximum.	A copy of the Policy from the insurance company. A copy of the signed worksheet from the	A copy of the Bill of Sale. A copy of the signed worksheet from the mortuary is needed if the amount is above the specified maximum.

		mortuary is needed if the amount is above the specified maximum.	
When to Verify	 At initial application. At renewal applications if changes have occurred. If client reports change that affects eligibility. 	 At initial application. At renewal applications if changes have occurred. If client reports change that affects eligibility. 	 At initial application. At renewal applications if changes have occurred. If client reports change that affects eligibility.
Exemptions, Disregards and Comments	 A burial trust must be irrevocable if it is for paying non-excluded burial expenses. If the irrevocable burial trust exceeds the specified maximum for non-excluded burial expenses, the excess is considered an available resource. Once a policy is verified as irrevocable it does not need to be verified again. 	 If the client has irrevocably assigned more than the specified maximum for non- excluded burial expenses in the burial insurance policy, the excess must be reviewed by the Department for deprivation of resources, if applicable. If ownership of the burial insurance policy has been passed to the funeral home and the client is no longer the policy owner, then verification of an irrevocable beneficiary assignment is not needed. 	•The contract may be funded by money set aside in a bank account or in a burial insurance policy.
Questions to Consider	•Have you purchased any pre- arranged funeral plans?	•Do you have any insurance policies designated for burial or that have been assigned to a funeral home?	•Have you pre-purchased any items for your burial or service?
Sources for More Information	477 NAC 23-003.05(A)(iii)(1)(a)	477 NAC 23- 003.05(A)(iii)(5)	477 NAC 23-003.05(A)(iii)(8)
	Money/Account Designated for Burial	Burial Spaces (Plot)	
Definition	An account, separated from all other funds, with up to \$1,500 set aside for the sole purpose of paying for burial expenses. These accounts, and any interest earned, are excluded as a resource.	Includes a crypt, mausoleum, urn, casket, marker, vault, or other repository for the remains of a deceased person. This also applies to markers, vaults, applicable sales tax, charges for opening and closing the grave. Does not include services, burial fees, etc.	

Verification Source	Money/Account Designated for Burial will be verified electronically if available through the Asset Verification System (AVS). The most recent monthly statement with ending monthly balance. If needed, a conference call may be made to the financial institution to obtain the information.	The individual's declaration of a plot only may be accepted. If more than one plot is owned, then each plot must be designated for an immediate family member to be excluded.
When to Verify	 At initial application. At renewal. If client reports change that affects eligibility. 	 At initial application. At renewal applications if changes have occurred. If client reports change that affects eligibility.
Exemptions, Disregards and Comments	 These accounts are only allowed if there are no other irrevocable burial arrangements. Changes include a new account designated for burial funds, updated balances in an existing designated account, and closed accounts (previously in budgets). If retroactive Medicaid is requested, statements are needed for each month. 	 Changes include: Newly purchased or sold spaces. Once it is verified it does not need to be verified again.
Questions to Consider	Do you have any funds set aside in a separate account for burial?	Do you own any burial plots for yourself, spouse, or family members?
Sources for More Information	477 NAC 23-003.05(A)(iii)(6)	477 NAC 23-003.(A)(iii)(7) and 003.05(A)(iii)(8)

3. Income Producing Resources

	Land Contract	Life Estate	Annuity
Definition	Entered into when the seller of a property also finances the purchase.	Real property in which a client or spouse has a "life interest." It is a property that the client once owned and has now transferred the remaining interest to another party. A life estate is only a countable resource if sold.	A revocable, assignable, or saleable annuity is countable as a resource and provides a right to receive periodic payments, either for life or a term of years. Irrevocable, non-assignable annuities are not resources, but are a source of unearned income. The verification pieces would be the same for all annuities.
Verification Source	 A copy of the agreement to sell/purchase. A copy of the trustee deed and/or promissory note (if available). 	 A copy of the recorded deed. A life estate may be identified on the deed by the words: "life use" or "for use." 	 The Department sends Annuity verification form to be completed by the issuer. The application for annuity, annuity issuance letter and related documents.
When to Verify	 At initial application. At renewal applications if changes have occurred. If client reports change that affects eligibility. 	 At initial application. At renewal applications if changes have occurred. If client reports change that affects eligibility. 	 At initial and renewal applications. If client reports a change that affects eligibility.
Exemptions, Disregards and Comments	A land contract is not counted as a resource. However, it must be verified, and payments are counted as unearned income.	•The Department will review for deprivation if the client is in institutionalized care (Example: nursing home or waiver).	•The Department will review for deprivation if the client is in institutionalized care (Example: nursing home or waiver).
Questions to Consider	 Do you own land in addition to the land your home is on? Do you own any farmland or land not being used? Are you owner financing the purchase of land that you own? 	•Are you receiving income from a property you transferred or once owned?	N/A
Sources for More Information	477 NAC 23-003.05(A)(ii) 477-000-031	477 NAC 23-003.05(B)(vi) 477-000-038	477 NAC 23-003.05(A)(vi)(1) through 003.05(A)(vi)(1)(e)

Income Producing Resources Continued

	Elective Share of a Spouse's Augmented Estate	Collectable Unpaid Notes or Loans	Promissory Notes
Definition	This is the amount of the deceased spouse's estate that is available to the surviving Medicaid spouse as a potential benefit.	An extended form of an IOU from one party to another that enables a payee to receive payments (possibly with interest) over a set period of time.	A financial instrument that contains a written promise by one party to pay another party a definite sum of money either on demand or at a specified future date.
Verification Source	 A copy of the of the court filing, when required. Proof of the client's augmented share must be provided when the probate is final. 	A copy of the signed note and any attached agreement or amendments, and any legal documents.	A copy of the signed note and any attached agreement or amendments, and any legal documents.
When to Verify	 At initial application or renewal applications. At the death of a spouse. 	 At initial application. At renewal applications if changes have occurred. If the client reports a change that affects eligibility. 	 At initial application. At renewal applications if changes have occurred. If the client reports a change that affects eligibility.
Exemptions, Disregards and Comments	• The death of a community spouse may affect the surviving client's Medicaid eligibility.	If refused, payments that are owed to the client will be reviewed for deprivation.	The Department will review promissory notes for deprivation of resources.
Questions to Consider	N/A	•Are you collecting on any debt owed to you?	•Are you collecting on any debt owed to you?

4. Investments

4. investmen	Certificate of Deposit	Publicly Traded Stocks	Bonds
Definition	A time deposit that limits holders from withdrawing funds on demand without penalty. It is still possible to withdraw the money.	 and Mutual Funds Stocks: Share of the value of a company which can be bought, sold or traded as an investment. Mutual Fund: Collection of stocks and/or bonds. 	An investment in which an investor loans money to an entity (corporate or governmental) that borrows the funds for a defined period of time at a fixed interest rate. e.g., savings bonds.
Verification Source	Certificates of Deposit will be verified electronically if available through the Asset Verification System (AVS). The most current quarterly or monthly (if available) statement. Statement should include: • Client name. • Date. • Account number (at least the last 3 digits). • Account balance. • If needed, a conference call may be made to the financial institution to obtain the information.	Most current quarterly or monthly (if available) statement.	A copy of the bond(s).
When to Verify	•At initial and renewal applications. •If the client reports a change that affects eligibility.	 At initial and renewal applications. If the client reports a change that affects eligibility. 	 At initial application and renewal applications. If client reports change that affects eligibility.
Exemptions, Disregards and Comments	These funds are considered an available resource even though there is a penalty for withdrawal.	Current stock exchange fair market value of the share(s) with verification of the amount of shares held by client may be used.	N/A
Questions to Consider	•Do you have any investments that have not been cashed in?	•Do you have any investments that have not been cashed in?	•Do you have any investments that have not been cashed in?

Investments Continued

	IRA	401K / 403(b)	Other Investments
Definition	Individual Retirement Account; There are four main types: Roth IRA- The client pays taxes during accumulation. o Traditional IRA- The client pays taxes upon withdrawal. o SIMPLE - Savings Incentive Match Plan for Employees. o SEP -Simplified Employee Pension IRAs for self-employed individuals or small business owners.	Established by employers for eligible employees to make salary deferral contributions on a post- tax and/or pretax basis. Employers offering a 401K or 403(b) plan may make matching or non- elective contributions to the plan on behalf of eligible employees.	An asset or item that is purchased with the hope that it will generate income or appreciate in the future. e.g., Shares of a business, oil and mineral rights.
Verification Source	IRAs will be verified electronically if available through the Asset Verification System (AVS). A copy of the most current quarterly or monthly (if available) statement. Statement should include: • Client name. • Financial institution name. • Date. • Account number (at least the last 3 digits). • Account balance.	A copy of the most current quarterly or monthly (if available) statement. Statement should include: • Client name. • Financial institution name. • Date. • Account number (at least the last 3 digits) • Account balance.	A copy of any legal documentation of the agreement. Examples include, but are not limited to: partnership agreements, articles of incorporation, any other documents that pertain to the rights of the applicant to sell or control the business.
When to Verify	 At initial and renewal applications. If the client reports a change that affects eligibility. 	•At initial and renewal applications. •If the client reports a change that affects eligibility.	 At initial and renewal applications. If the client reports a change that affects eligibility.
Exemptions, Disregards and Comments	• These funds are considered an available resource even though there is a penalty for withdraw.	• If funds are not accessible in an employer-controlled 401K or 403(b) due to age, employment status restrictions etc., verification is needed from employer.	N/A

Questions to Consider	•Do you have any investments that have not been cashed in?	•Do you have any investments that have not been cashed in? •Are the funds accessible? •At what age are funds able to be accessed? •Is the fund employer controlled?	•Do you own shares in any business or corporation?
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5. Property

	A Home	Real Property	Trailer/Manufactured House
Definition	A property occupied now or previously by the client, spouse or other qualifying relative.	Additional pieces of property. i.e., Farm, agricultural land, rental property, saleable time shares.	A housing unit constructed primarily off-site prior to being moved to a piece of property where it is set.
Verification Source	 A Home will be verified electronically if available through the Asset Verification System (AVS). A copy of the deed. •Equity value may also need to be requested by the Department in certain situations. 	Real Property will be verified electronically if available through the Asset Verification System (AVS). A copy of the deed. •Equity value may also need to be requested by the Department in certain situations.	A Trailer or Manufactured House will be verified electronically if available through the Asset Verification System (AVS). A copy of the title. •Equity value may also need to be requested by the Department in certain situations.
When to Verify	 At initial application if the home is a countable asset. If the client reports that they are no longer living in their home. 	 At initial application. At renewal applications if changes have occurred. If the client reports change that affects eligibility. 	 At initial application. At renewal applications if changes have occurred. If the client reports change that affects eligibility.
Exemptions, Disregards and Comments	 Under certain circumstances, the client's home is exempt from consideration as a countable resource. Tax assessor records or receipt are not verification of ownership. Moving from the home the client owns to an alternative living situation affects eligibility. When an applicant or client has excess resources because of real property, he or she may receive Medicaid pending liquidation of the resource. 	 Tax assessor records or receipt are not verification of ownership. When an applicant or client has excess resources because of real property, he or she may receive Medicaid pending liquidation of the resource. 	 Under certain circumstances, the client's home is exempt from consideration as a countable resource. Tax assessor records or receipt are not verification of ownership. Moving from a home the client owns to an alternative living situation effects eligibility. When an applicant or client has excess resources because of real property, he or she may receive Medicaid pending liquidation of the resource.
Questions to Consider	 •Who is residing in the home? •Has the home been placed for sale? •Where were you living prior to applying for Medicaid? 	 Do you own properties other than the home you live in/own? Do you own any farmland or land not being used? 	 •Who is residing in the home? •Has the home been placed for sale? •Where were you living prior to applying for Medicaid?

Sources for	NAC 477 23-005(B)(iii)(4)	477 NAC 23-	477 NAC 23-003.05(B)(iii)(4)
More Information	through 003.05(B)(iii)(6)(a)	003.05(B)(iv)	through 003.05(B)(iii)(6)(a)
	Countable Motor Vehicles.	Farm and Business Equipment.	Land Leases.
Definition	Classic vehicles, watercraft (boats, jet skis, etc.) recreational vehicles, off-road vehicles (ATVs, dirt bikes, etc.), aircraft, trailers, etc.	Equipment used for the client's trade or business to produce goods for the client's own use or consumption.	Applicant-owned land being rented out.
Verification Source	 Countable Motor Vehicles will be verified electronically if available through the DMV. If unable to verify, ownership of a countable motor vehicle is verified by the title or loan document. 	Provide an estimate from dealer, loan statement, or auctioneer.	 A copy of the recorded deed. Equity value may also need to be requested by the Department in certain situations.
When to Verify	 Verify at initial application and renewal applications. Verify if client reports change that affects eligibility. Only countable vehicles require verification. 	•At initial and renewal applications. •If the client reports a change that affects eligibility.	 At initial application. At renewal applications if changes have occurred. If the client reports change that affects eligibility.
Exemptions, Disregards and Comments	 Classic Vehicle Definition: A classic vehicle is defined as a vehicle that may not be used for normal transportation to and from work, driven on a daily basis, or used for hire or used for a commercial business. This vehicle may be used for test drives, parades, or hobby-related activities. Recreational Vehicle Definition: A motor vehicle that is designed to be used as living quarters, but is not currently being used as the primary residence. Classic or restored vehicles fair market value is determined by retail value in NADA. If the vehicle is not listed or if the client disputes the value, an estimate of the value from a car dealer may be used. For other vehicles values (ATV, boat etc.) if not available on Kelley Blue Book or other online sources, the value may be obtained by a dealer statement. If the vehicle is leased the client does not own the vehicle. 	•Under certain circumstances, the client's farm and business equipment may be exempt from consideration as a countable resource.	The equity value of the land is a countable resource.
Follow-up Questions	 Do you have any classic cars or motorcycles, boats, jet skis, campers, RVs, trailers, or aircraft? Do you have any vehicles in storage? Do you have any leased vehicles or payments? 	Do you own any machinery or farm equipment?	 Do you own land in addition to the land your home is on? Are you leasing or renting land that you own to anyone?

	•Do you have any vehicles licensed in another state? •Are any vehicles used as your residence?		
Sources for More Information	<u>Kelley Blue Book</u> <u>NADA Guide</u> for classic or restored vehicles	477 NAC 23- 003.05(B)(vii)	N/A

6. Misc. Resources

	Trust	Life Insurance	Livestock/Poultry and Crops
Definition	An arrangement in which a client's property or money is legally held or managed by another party. There are several types of trusts that a client may have: irrevocable, special needs, guardianship, testamentary, and pooled.	Whole life: Insurance with level premiums that has both an insurance and an investment component. The insurance pays a stated amount upon death of the insured. The investment accumulates a cash value that the policyholder can withdraw or borrow against. Term Life: A form of life insurance that generally furnishes insurance protection for only a specified or limited period of time. May still accrue a cash value.	Livestock/Poultry: Domesticated animals raised to produce food, labor or profit. e.g., Cows, chickens, pigs etc. Crops: Products that can be grown and harvested extensively for profit.
Verification Source	 A copy of all legal documents for the trust, including all amendments, attachments, and schedules. A copy of the most recent financial statement or current accounting record. 	 A copy of the most recent statement that verifies ownership, name and address of the insurance company, the policy number, beneficiary, date of purchase, original face value, cash surrender value, and value of any loans against the policy(s) and dividend information. If needed, a conference call may be made to the financial institution to obtain the information. 	Livestock/Poultry: A copy of an estimate from the operating loan, sale barn, or auctioneer. Crops: Market price from grain elevator.

When to Verify	•At initial application. •At renewal applications if changes have occurred. •If the client reports change that affects eligibility.	 Whole Life policies: At initial and renewal applications. If the client reports a change that affects eligibility. Term Life policies: At initial application. At renewal unless original documentation from the insurance company verifies that the insurance policy will not accrue a cash value. If the client reports a change that affects eligibility. 	•At initial and renewal applications. •If the client reports a change that affects eligibility.
Exemptions, Disregards and Comments	N/A	•If the client is unable to provide the needed information the Department can send a Life Insurance Verification Request form to the insurance company. Cash surrender value tables cannot be used as verification.	•Under certain circumstances, the client's livestock, poultry, and crops may be exempt from consideration as a countable resource.
Questions to Consider	N/A	N/A	N/A
Sources for More Information	477 NAC 23- 003.05(A)(vi)(2)(a)	• 477 NAC 23- 003.05(A)(iv)	• 477 NAC 23-003.05(B)(vii)

Misc. Resources Continued

	Household Goods and other Personal Effects	Contents of Safe Deposit Box	Tax Refund
Definition	Household goods and personal effects of moderate value used in the home. e.g. Furnishings and equipment used in the operation, maintenance and occupancy of the home. Items for comfort and accommodation; personal belongings, clothing, jewelry, items for personal care, etc.	Usually located inside a bank to store valuables. Items such as documents and jewelry are often stored.	The return of excess amounts of income tax a taxpayer paid to the state or federal government.

Verification Source	N/A	Client declaration is accepted.	•A copy of bank statements.
When to Verify	N/A	•At initial and renewal applications. •If the client reports a change that affects eligibility.	 At initial and renewal applications. Verify if client reports a change that affects eligibility.
Exemptions, Disregards and Comments	Excluded while the home is occupied, counted if items are sold or auctioned.	 Some items may already be listed as a resource and verified per their resource category. If items included are part of a collection and have substantial value then a written appraisal is required. e.g., coin collection. 	Any balance retained after 12 months of receipt must be verified and counted as available.
Questions to Consider	N/A	•Do you have any items stored at the bank?	N/A