

WGIUPD

GENERAL INFORMATION SYSTEM
DIVISION: Office of Health Insurance Programs

3/3/20

GIS 20 MA/03

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TO: Local District Commissioners, Medicaid Directors

FROM: Lisa Sbrana, Director
Division of Eligibility and Marketplace Integration

SUBJECT: Clarification of GIS 19 MA/04, "Clarification of Policy for Treatment of Income Placed in Medicaid Exception Trusts"

ATTACHMENT: Explanation of the Effect of Trusts on Medicaid Eligibility (OHIP-0119), Revised

EFFECTIVE DATE: Immediately

CONTACT PERSON: Local District Support Units
Upstate (518) 474-8887
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The purpose of this General Information System (GIS) message is to inform local departments of social services (LDSS) of a clarification to GIS 19 MA/04, "Clarification of Policy for Treatment of Income Placed in Medicaid Exception Trusts", concerning exception trusts established by an agent acting under a Power of Attorney. Effective immediately, districts may not require that permission to gift assets be included in a Power of Attorney used to establish an exception trust on behalf of an applicant/recipient. This clarification applies only to exception trusts. The remaining policy guidance provided in GIS 19 MA/04 continues to apply.

The OHIP-0119, "Explanation of the Effects of Trusts on Medicaid Eligibility" (Attachment 1 to GIS 19 MA/04) has been revised, is provided as an attachment to this GIS and has been posted to the DOH, Office of Health Insurance Programs website: <http://health.state.nyenet/revldssforms.htm>. Effective with the release of this GIS, districts must use the attached version of OHIP-0119 with applicable manual excess income notices. CNS excess income notices are being revised and districts will be notified once revisions are complete. In the interim, current CNS excess income notices should continue to be used.

Please direct any questions to your local district support liaison.