

MISSISSIPPI DIVISION OF MEDICAID

Eligibility Policy and Procedures Manual

CHAPTER 300 – Resources

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306.05.07 DETERMINING THE PENALTY WHEN PENALTY PERIODS OVERLAP

All countable transfers occurring during the look-back period are totaled and the penalty period determined by dividing the total UV by the average private pay rate. The first month of the transfer penalty period is the month in which the first countable transfer occurred.

Transfers that occur after a penalty period is in effect are added in full to the end of the penalty period currently in effect. There is no limit on the number of months a transfer penalty can be imposed. The penalty period is always determined by the total UV calculated during the look back period.

306.05.08 DETERMINING THE PENALTY WHEN PENALTY PERIODS DO NOT OVERLAP

When multiple transfers are made so that the penalty periods for each do not overlap, treat each transfer as a separate event with its own penalty period.

EXCEPTION: Consecutive transfers that occur on a regular basis must be calculated together. For example, an individual gave a relative \$5,199.00 in April and \$5,199.00 in May. The two gifts are added together and divided by the average private pay rate using the rules of either LTC or HCBS to apply the penalty.

NOTE: The penalty period for transfers occurring on or after February 8, 2006, and within the five year look-back period will begin the month that eligibility is requested or the first month eligibility is determined if the individual is not eligible in the month eligibility is requested.