

MISSISSIPPI DIVISION OF MEDICAID

Eligibility Policy and Procedures Manual

CMV UNDER SSI POLICY (Continued)

- County Agricultural Extension Service,
- Licensed Mississippi real estate appraisers, and
- Bureau of Land Management, the US Geological Survey or any mining company that holds leases (such as for CMV of mineral rights)

If the validity of an estimate provided by the applicant or recipient is questionable, an additional estimate must be obtained from another knowledgeable source.

Information to be Included in the Estimate

The knowledgeable source estimate must provide the following information:

- The estimated value;
- The name of the person providing the estimate;
- The name, address and telephone number of the business or agency for whom the person providing the estimate works;
- The basis for the estimate, to include such things as a description of the property and its condition and, where appropriate, the value of similar property in the same area); and
- The period to which the estimate applies (which corresponds to the period for which it is being requested).

Providing Assistance

Assistance must be provided if an applicant or recipient is incapable of obtaining the estimate. If the estimate is obtained by telephone, the specialist must record the required information in the case record.

301.01.08C CMV REBUTTAL

When CMV has an impact on eligibility and the applicant or recipient disagrees with the CMV evidence the specialist has obtained, a rebuttal determination must be made.

The rebuttal determination must take into account:

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CMV REBUTTAL (Continued)

1. All the evidence previously in the file, including but not limited to the individual's original allegation, any tax assessment notices and any estimates from knowledgeable sources,
2. Any additional evidence the individual wishes to submit, including but not limited to evidence that the individual's ownership interest in the property is worth less than the total value of the property divided by the number of owners, and
3. Any other facts the RO has about the property or about market conditions where it is located.

The rebuttal must be supported by a preponderance of the evidence which may require one or more additional estimates from knowledgeable sources.

301.01.08D DEVELOP EQUITY VALUE

For both SSI and liberalized policy, the allegation of an encumbrance on the property (any legal debt, such as a mortgage, lien, loan, purchase contract, etc.) must be supported with evidence of:

- The original amount owed;
- The outstanding principal balance; and
- The schedule and amount of payments due on the principal balance.

A copy of the note or agreement establishing the encumbrance must be provided or obtained as verification of equity value.

The CMV less any legally binding debts against the property is the countable equity value for real property that cannot be excluded under any real property exclusion.