

IC 12-15-3

Chapter 3. Ineligibility; Financial Limitations

IC 12-15-3-0.5

Applicability of chapter

Sec. 0.5. This chapter does not apply to an individual participating in the Medicaid buy-in program beginning July 1, 2002, established under IC 12-15-41.

As added by P.L.287-2001, SEC.7.

IC 12-15-3-1

Expired

(As added by P.L.2-1992, SEC.9. Amended by P.L.128-1999, SEC.21; P.L.246-2005, SEC.104; P.L.196-2011, SEC.3. Expired 12-31-2013 by P.L.278-2013, SEC.10.)

IC 12-15-3-1.5

Eligibility of aged, blind, disabled; spouse assets

Sec. 1.5. (a) This section applies beginning the later of the following:

(1) The date that the office is informed that the United States Department of Health and Human Services has approved Indiana's conversion to 1634 status within the Medicaid program.

(2) January 1, 2014.

(b) The office shall determine eligibility for a Medicaid applicant or Medicaid recipient who is aged, blind, or disabled under IC 12-15-2-3.5.

(c) If an individual:

(1) resides in a nursing facility or another medical institution; and

(2) has a spouse who does not reside in a nursing facility or another medical institution;

the total cash value of money, stock, bonds, and life insurance that may be owned by the couple to be eligible for Medicaid is determined under IC 12-15-2-24.

As added by P.L.278-2013, SEC.11.

IC 12-15-3-2

Expired

(As added by P.L.2-1992, SEC.9. Amended by P.L.128-1999, SEC.22; P.L.196-2011, SEC.4. Expired 12-31-2013 by P.L.278-2013, SEC.12.)

IC 12-15-3-3

Expired

(As added by P.L.2-1992, SEC.9. Amended by P.L.196-2011, SEC.5. Expired 12-31-2013 by P.L.278-2013, SEC.13.)

IC 12-15-3-4

Total cash value limitations on ownership of money, stock, bonds, and life insurance; parent and parents defined

Sec. 4. For purposes of sections 2 and 3 of this chapter, except for an applicant or a recipient who is determined to be eligible for home and community based services under 42 U.S.C. 1396 et seq., the applicant's or recipient's parent or parents are the parent or parents with whom the applicant or recipient resides.

As added by P.L.2-1992, SEC.9.

IC 12-15-3-5

Limitation on total cash value of money, stocks, bonds, and life insurance owned by applicants or recipients not described in IC 12-15-3-1

Sec. 5. Except as provided in section 7 of this chapter, the office may set the total cash value of money, stock, bonds, and life insurance that an applicant for or a recipient of Medicaid may own without being ineligible for Medicaid in cases not described in section 1 of this chapter.

As added by P.L.2-1992, SEC.9. Amended by P.L.196-2011, SEC.6.

IC 12-15-3-6

Purchase of qualified long term care insurance policy; computation under this chapter

Sec. 6. A computation under this chapter concerning an individual who purchases a qualified long term care insurance policy under IC 12-15-39.6 must take into consideration the asset disregard established under IC 12-15-39.6-10.

As added by P.L.2-1992, SEC.9. Amended by P.L.24-1997, SEC.47; P.L.1-2006, SEC.187.

IC 12-15-3-7

Effect of certain applicants' assignment of life insurance benefits to state on applicants' Medicaid eligibility

Sec. 7. (a) As used in this section, "value" includes the following:

- (1) The face value of a life insurance policy.
- (2) The cash value of a life insurance policy.

(b) The value of a life insurance policy that is in force and owned by an applicant or a recipient who is at least fifty-five (55) years of age or permanently institutionalized may not be considered as a resource in determining the applicant's or recipient's eligibility for Medicaid if the applicant or recipient:

- (1) makes an irrevocable election to name the state as a beneficiary of the life insurance policy for an amount that is not greater than:
 - (A) Medicaid benefits provided to the recipient under IC 12-15-5 or IC 12-14-17; plus
 - (B) premiums or expenses paid by the office to the insurer that issued the life insurance policy; or

(2) collaterally assigned the life insurance policy to the state under a written agreement submitted to and recorded by the insurer that issued the life insurance policy.

(c) Any designation of the state as an irrevocable beneficiary or any collateral assignment in favor of the state is void if the application for Medicaid benefits is not approved.

As added by P.L.196-2011, SEC.7.