

Medicaid Resource and Income Disregards

When determining eligibility for Medicaid in New York state, the local district determines the gross income and resources of the applicant, and then deducts certain items which may be disregarded. If any of these **disregards** apply to a particular applicant, then they may be eligible for Medicaid even though their income or resources appear to be over the limit. As a result, it is important to know which types of income or resources (or which expenses) can be disregarded.

We have created two tables that collect all of the various income and resource disregards applicable to the different categories of Medicaid in New York state. We have tried to make sure there are citations to the relevant provisions from the regulations or the [Medicaid Reference Guide](#). [Let us know](#) if you can't find a cite or find a correction!

IMPORTANT -- Note that these income and resource disregards apply for people seeking Medicaid for community-based care, not nursing home care. The rules for both income and certain resources, such as the home, are different, and are explained in [this article](#).

- [Income Disregards](#) (updated Nov. 2010 to include rules on rental income and roomer/boarder income and in August 2011 to clarify the rules on withdrawals from IRAs)
- [Resource Disregards](#)
 - ◆ Also see this detailed [explanation of the rules for disregarding funds used to pre-pay for burial arrangements](#) for the Medicaid applicant/recipient as well as for certain family members
 - ◆ See [this article](#) explaining the rules that became effective January 1, 2010, under which Medicaid recipients who are under age 65, and who are not disabled or blind, no longer have any resource test or limits.
- see [Public Benefits Resource Rules and the Impact of Lump Sum Receipt on Benefits Eligibility](#)," by Paula Arboleda, Susan Antos, Saima Akhtar & Maryanne Joyce, prepared for NYSBA 2018 Partnership Conference, available at <http://www.wnyc.com/health/download/676/> (includes Medicaid, Public Assistance eligibility rules)
- See [NYLAG Outline on Supplemental Needs Trusts](#), which includes review of asset rules and transfer penalties for Medicaid, SSI and other public benefits

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