

# KNOW YOUR RIGHTS: Fact Sheet Explaining Basic Rules on NYS Financial Medicaid Eligibility for People who are Disabled, Aged 65+, or Blind

This **Fact Sheet** (updated 02/20/2024 with 2024 figures) explains Medicaid eligibility **for New Yorkers who are age 65+ or who have disabilities**. It explains the basic financial rules on eligibility for Medicaid in the community for this category of people, and explains how to apply for Medicaid if you are seeking home care.

Community Medicaid includes all hospital and doctors' care, and the various home care programs. The rules for eligibility for Medicaid to pay for nursing home care are different, such as the rules on transfer of assets. These are explained very briefly here but more extensively in these articles.

This fact sheet explains how to calculate the "spend down" if you have excess income above the Medicaid income limits. See this article for tips on special strategies to reduce or eliminate the spend-down.

The reason this Fact Sheet is only for people who are Disabled, Aged 65+ and Blind ("DAB")(a/k/a "SSI-related) is that the rules are very different for people under age 65 who are not disabled - they have MAGI (Modified Adjusted Gross Income) Medicaid.. They have no resource limits and different rules for counting and budgeting income. "

- See more links to various national and state resources about the ACA and MAGI budgeting in this article and State directives implementing the Affordable Care Act

**Thanks to Gov. Hochul and the NYS Legislature for passing the landmark increases in the Medicaid income and asset limits effective Jan. 1, 2023 - 2024 amounts in updated Fact Sheet.**

## WEBINARS and DOWNLOADS on Medicaid Eligibility and 2023 Changes

- **Download PowerPoint and Appendix of references, forms, and case examples from Jan. 18, 2023 NYLAG webinar on the 2023 changes.**
- VIEW recorded webinars in the Chat with the Expert series presented by NYLAG Evelyn Frank attorneys on Medicaid eligibility and upcoming changes.
  - ♦ Medicaid Eligibility Part 1: Age 65+ and People with Disabilities (September 29, 2022) with NYLAG's Valerie Bogart and Anna Arellano--Includes a preview of the increases in the Medicaid income and asset limits coming in 2023

♦ Medicaid Part 2: Myths and Facts - Liens, Lookback, IRAs, and More (October 19, 2022) with NYLAG's Rebecca Wallach and Anna Arellano

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