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ELDER LAW MINUTE

Until recently, the homeplace and automobile were considered sacrosanct for Medicaid purposes. Unfortunately, that is no longer true.

Effective October 1, 2006, the home is only exempt if its equity value is \$500,000 or less. If the value is more than that, the Medicaid application will be approved but no assistance will be provided at the nursing home. There are a few exceptions to this rule. If the applicant's spouse, child under 21, blind or disabled child is living in the homeplace then the \$500,000 limit does not apply.

The homeplace consists of the shelter where the applicant lived, the land on which the shelter is located all adjoining land and all other buildings located on the property. There is no duration of stay requirement for a property to be considered a homeplace. As long as the applicant lived on the property before entering the nursing home it does not matter how long it was his homeplace.

It used to be that a Medicaid applicant could have as many automobiles as he wished. Effective July 1, 2005, only one automobile per household may be excluded and only if it is used to transport the applicant or a member of his household. If the automobile is rarely or never used to transport the applicant or a member of his household or was purchased to shelter assets, the value of the car counts as a resource.

If you have questions about any other exempt resources, please let me know.

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