

# ALTCS Polices on Transfers

## **What is a transfer?**

A transfer happens when you sell, give away, or exchange any resource you own or any income that you receive.

Transfers happen when you or your spouse:

- Change the title or deed of property;
- Sell something you own or buy something from someone else;
- Make a loan;
- Give away resources like money or your home;
- Give income to another individual or entity; or
- Take any action which causes income or resources to not be available to you.

## **How does a transfer affect ALTCS eligibility?**

If you have made a transfer, we must determine if the transfer will make you ineligible for long term care services.

- There is not penalty if you receive something of equal value for the item that you transferred.
- There is no penalty for transfers to a spouse or to a disabled child.

If you did not receive something of equal value, you may be ineligible for ALTCS long term care services for a period of time. This time period is determined by dividing the amount of the transfer for which you did not receive something of equal value by the private pay rate in the county where you live.

**Example:** Mrs. Williams changed the title to her home and gave it to her daughter. The private pay rate in the county in which she lives is \$5,000. The home was worth \$150,000.00. Her daughter did not give her anything for the home.  $\$150,000 \div \$5,000 = 30$  months of ineligibility for full long term care services.

## **What happens if AHCCCS determines that I made a transfer?**

Before we can impose a penalty period, we must send you a letter letting you know the amount of the transfer and the period of time you are not eligible. The letter also gives you information about how you may be able to challenge the transfer and avoid the penalty period.

You can challenge the transfer if:

- You show that you did get equal value;
- The transferred item is returned to you; or
- You show that the transfer was made for a reason other than to qualify for ALTCS.

## **What happens if a penalty period is applied?**

You will have the right to ask for a fair hearing about AHCCCS' decision. In addition, you will receive some medical benefits (doctors, hospitals, prescriptions, X-rays and lab work, etc) until the penalty period is over.

## **How do I get more information?**

On the Internet go to: <http://www.azahcccs.gov/Publications/Eligibility/chapter900.asp>