
MA Health Care Training Forum Learning Series: Going to a Nursing Facility? How to Apply for Long-Term-Care Questions & Answers

Eligibility

Question: My client is 95 years old, living in assisted living and has private insurance. Can they apply for MassHealth and keep private insurance?

Answer: Yes, they can keep their private insurance and also apply for MassHealth comprehensive coverage and/or Medicare Savings Programs to help cover medical costs. MassHealth does not pay for room and board.

Question: I have heard from a case worker that she “does not have to look at the RFI documents sent before the RFI due date until the actual RFI due date”. Is this true?

Answer: Staff are not prohibited from reviewing submitted documents prior to the due date. However, documents are typically reviewed in the order that cases are due to ensure they are processed within the applicable time standards defined in our regulations.

Question: For a hypothetical patient that is currently unhoused and has limited access to funds, is there a waiver for the fee to request for his tax returns on the SACA-2?

Answer: IRS Form 4506 “Request for Copy of Tax Return” is included with the SACA-2. With this form, the IRS can provide a Tax Return Transcript for many returns free of charge. It is one of the last few pages.

Income

Question: In terms of noncountable income are "municipal vets benefits based on need" the same as Chapter 115?

Answer: It is possible that veterans' income received through a city or town may have been awarded under Chapter 115. But not all municipal benefits paid to veterans are awarded through Chapter 115.

Question: If someone participates in the Senior Property Tax Work Off Program, is that income countable?

Note: Clarification on Property Tax Work-off Program as you take this back. A Senior "volunteers" for a participating municipality in exchange for a reduction in property taxes. At the end of the year, they are issued a W-2 for tax purposes. Amounts vary by town from \$500 - \$2,000.

Answer: No, this is not countable income.

Long-Term-Care Facility

Question: To clarify, a member cannot be approved for long-term care until a facility is selected.

Answer: Currently, the SC1 is a requirement for LTC approval and the SC1 cannot be completed until the individual has been admitted to the facility. In January 2025, the SC1 requirement will be removed. If all other documentation has been submitted, including the clinical screening, and the member would otherwise be categorically and financially eligible for MassHealth in a LTC facility, the applicant will be approved for MassHealth temporarily while we wait for the SC1 to be completed and submitted.

Question: We run into a lot of roadblocks when it comes to placing a patient in long-term. We do the SACA-2 and Supplement A. We work with the family when they get the VC1 letter to get in all the documents. The Long-Term Nursing home will not accept a member until they show they have active MassHealth coverage. However, the member would not be approved until they are in the facility because they do not meet the MA income limits as a community member. So, it goes back in forth. They don't qualify until they are in the facility. However, the facility does not take them until MassHealth is approved. - What can you do in this situation?

Answer: Currently, the SC1 is a requirement for LTC approval. In January 2025, the SC1 requirement will be removed. If all other documentation has

been submitted, including the clinical screening, and the member would otherwise be categorically and financially eligible for MassHealth in a LTC facility, the applicant will be approved for MassHealth temporarily while we wait for the SC1 to be completed and submitted.

Question: If an individual is in a skilled nursing facility for 6 months and is being discharged to the community within the next 30 days, can the long-term-care conversion be delayed as they are leaving within 30 days?

Answer: Currently, our policy does not allow an individual to exceed 6 months even if they are being discharged soon after.

Question: When do the timeframes change back to 30 days versus 90?

Answer: MassHealth anticipates this change will be made in Sept 2024.

Question: Is it true that long term care facilities can deny your enrollment to their facilities if you don't have a MassHealth long term care application in place? I often heard from my clients that long-term-care facilities won't accept application unless the applicant has already applied for MassHealth.

Answer: Nursing facilities can deny admission for a variety of reasons.

Question: Does a patient get approved for long-term-care while still in the hospital or do they have to be accepted to a facility to have the notification of admission, Personal Needs Account and Nursing Assessment. We go back and forth with case managers constantly with this!

Answer: Currently, the SC1 is a requirement for LTC approval and the SC1 cannot be completed until the individual has been admitted to the facility. The SC1 provides MassHealth with the nursing facility information, admission date, Medicare coverage, estimated length of stay, MCO/PACE/SCO, etc. In January 2025, the SC1 requirement will be removed. If all other documentation has been submitted, including the clinical screening, and the member would otherwise be categorically and financially eligible for MassHealth in a LTC facility, the applicant will be approved for MassHealth temporarily while we wait for the SC1 to be completed and submitted.

Question: For patients that are screened and presumed eligible, application submitted, can the nursing home decline admittance because of no payor source?

Answer: Nursing facilities can deny admission for a variety of reasons.

Question: Can a nursing facility apply for long-term-care for a person who was there over 100 days but is NO LONGER living there and not returning? They didn't get it done while the person was still there and are trying to recoup funds for the person's stay even though it is over. Is this allowed?

Answer: The member/applicant or their Authorized Representative can submit an application at any time.

Question: A resident was in nursing facility for 6 months, a conversion has been received, but the resident died 2 weeks after the 6-month short term stay. Will MassHealth extend the short term stay to cover this 2-week period, or would we still have to go through the conversion process. We ask this, because there are many cases like this where a person has no family, or no family member wants responsibility and leaves the facilities to file to be representative of estate and costs are increasing.

Answer: Currently, our policy does not allow an individual to exceed 6 months even if they are being discharged soon after.

Estate Recovery

Question: Is the estate recovery applicable to anyone who received MassHealth benefits from age 55 whether or not they went to a long-term-care facility?

Answer: Yes.

Question: Are assets in a special needs trust protected from estate recovery?

Answer: All assets that are part of the decedent's probate estate are subject to recovery if the total value of the estate exceeds \$25,000.

Question: For those over age 55 receiving MassHealth health care benefits, are any of those medical costs subject to estate recovery?

Answer: Yes.

Question: Does estate recovery come in if a person receives a benefit such as MassHealth Buy-In or Extra Help for Medicare Part D, or for Health Safety Net? or any kind of MassHealth benefits?

Answer: No, MassHealth does not recover for MSP or HSN. Extra Help is not a MassHealth program and wouldn't be subject to estate recovery.

Question: Is there any trust that can be established for a disabled person, with long-term-care living in a nursing home, with serious mental illness, after age 65? For instance, a person over 65 who inherits \$8,000. Full guardian in place, but no conservator.

Answer: There are such trusts that can be established but it may preclude them from qualifying for MassHealth depending on the type of trust and how it was established.