



ADMINISTRATIVE RULES OF MONTANA



37.82.1006 MEDICAID FOR WORKERS WITH DISABILITIES: RESOURCES

- (1) An individual is eligible in regard to resources if the individual's resources, including any resources of relatives deemed to be available to the individual pursuant to the supplemental security income (SSI) regulations at 20 CFR, part 416, subpart L, as amended through May 17, 2010, have a value of \$8,000 or less. 20 CFR, part 416, subpart L, which contains the SSI criteria for evaluating resources, including the resources of financially responsible relatives, is adopted and incorporated by reference. A married individual who resides with his or her spouse is eligible in regard to resources if the resources of the individual and his or her spouse, including any resources of relatives deemed to be available to the individual pursuant to 20 CFR, part 416, subpart L, have a value of \$12,000 or less.
- (2) Except as provided in (3) below, the individual's resources will be determined using the resource provisions of SSI regulations at 20 CFR, part 416, subpart L, and of the ABD Medicaid Manual adopted by reference in ARM 37.82.101. In case of a conflict between a provision of 20 CFR, part 416, subpart L, and a provision of the ABD Medicaid Manual, the provision of the Medicaid Manual shall apply.
- (3) Funds in a retirement or pension fund or plan are excluded as a resource.

Authorizing statute(s): 53-6-113, 53-6-195, MCA

Implementing statute(s): 53-6-131, 53-6-195, MCA

History: NEW, 2010 MAR p. 2733, Eff. 11/27/10.