



# Department of Medicaid

Mike DeWine, Governor  
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Maureen M. Corcoran, Director

## MEDICAID ELIGIBILITY MANUAL TRANSMITTAL LETTER (MEMTL) NO. 177

**To:** All Medicaid Eligibility Manual Holders

**From:** Maureen M. Corcoran, Director

**Subject:** Medicaid: Permanent File COVID-19 Rules Batch 5

This MEMTL contains six rules that have been amended from Chapters 5160:1-3, 5160:1-4, 5160:1-5, and 5160:1-6 of the Administrative Code, adopted under section 111.15 of the Revised Code. Four of the rules were also evaluated as part of five-year review in accordance with section 111.15 of the Revised Code.

The effective date is December 14, 2020.

In addition to the five-year review updates, these rules were amended to comply with conditions identified in the Families First Coronavirus Response Act (FFCRA) regarding continuous coverage for individuals enrolled in Medicaid on or after March 18, 2020. The amendments make permanent during the ongoing COVID-19 public health emergency those changes that were emergency filed pursuant to section 111.15 of the Ohio Revised Code on July 8, 2020.

The following Ohio Administrative Code (OAC) rules were amended:

### **Chapter 5160:1-3**

#### **5160:1-3-05.4 Medicaid: cash, checking and savings accounts and time deposits**

Changes to this rule as a result of five-year review include modifying the process for verifying resources and revising language for clarity. Other changes include the addition of language to allow individuals to self-declare certain circumstances when they cannot obtain or submit required documentation due to COVID-19 restrictions.

#### **5160:1-3-05.16 Medicaid: home replacement exclusion.**

Changes to this rule include the addition of language to allow individuals to self-declare certain circumstances when they cannot obtain or submit required documentation due to COVID-19 restrictions. Language throughout the rule was also revised and reorganized for clarity.

**Chapter 5160:1-4**

**5160:1-4-05 MAGI-based medicaid: coverage for a parent or caretaker relative with a child**

Changes to this rule include the removal of language indicating that an individual's medical assistance will be terminated for failure to return a quarterly request for financial information or for changes in circumstances that would otherwise result in discontinuance.

**Chapter 5160:1-5**

**5160:1-5-03 Medicaid: medicaid buy-in for workers with disabilities (MBIWD)**

Changes to this rule as a result of five-year review include revising language for clarity. Other changes include the removal of language indicating that an individual's MBIWD coverage will be terminated for no longer working or for non-payment of premiums.

**Chapter 5160:1-6**

**5160:1-6-06.1 Medicaid: treatment of annuity purchases and transactions**

Changes to this rule include the removal of language indicating that an individual's medical assistance will be terminated for circumstances that would otherwise result in discontinuance.

**5160:1-6-06.5 Medicaid: restricted medicaid coverage period**

Changes to this rule include the removal of language regarding the imposition of a restricted Medicaid coverage period (RMCP) for individuals already in receipt of medical assistance when a determination is made that assets were transferred for less than fair market value. Other changes include the removal of language requiring the redetermination of an individual's eligibility for medical assistance when all improperly transferred assets are returned to the individual.

This information is also available on the Ohio Department of Medicaid website and may be accessed at:

RESOURCES > Publications > ODM Guidance > Medicaid Policy > Medicaid Eligibility Manual Transmittal Letter (MEMTL)

<http://medicaid.ohio.gov/RESOURCES/Publications/ODMGuidance.aspx#161542-medicaid-policy>