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**Rules of**  
**Department of Social Services**  
**Division 40—Family Support Division**  
**Chapter 8—MO HealthNet for the Aged, Blind,**  
**and Disabled**

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**Title 13—DEPARTMENT OF SOCIAL SERVICES**

**Division 40—Family Support Division  
Chapter 8—MO HealthNet for the Aged, Blind, and Disabled**

**13 CSR 40-8.020 Ways of Treating Income and Assets**

*PURPOSE: This rule defines the asset limits, the ways in which assets are treated, in determining eligibility for MO HealthNet for the Aged, Blind, and Disabled (MHABD), and programs with which MHABD coverage is provided.*

(1) Scope. This rule describes the general requirements related to how assets affect eligibility for MHABD. This regulation does not apply to the Blind Pension program pursuant to Chapter 209, RSMo 2016, unless noted otherwise. Any provisions in this rule control over similar provisions in 13 CSR 40-2.030, including, but not limited to, the asset limits defined in that rule.

(2) The division shall treat income and assets in a way that is no more restrictive than the way income and assets are treated for the Supplemental Security Income (SSI) program, with the exception of the asset limits described in section (4) of this rule, and as provided for in the Medicaid State Plan.

(3) In determining eligibility for MHABD, the division shall consider—

(A) Any kind of asset that is owned by a household member, or in the name of someone on behalf of the household member;

(B) Any kind of asset that is owned by a trust or any other entity, but which a household member, or someone acting on behalf of a household member, has the legal power to use for the general benefit of the household; or

(C) Any kind of asset that is owned by a self-settled trust, as defined in, determined by, and subject to the rules of 42 U.S.C. section 1396p(d).

(4) The following asset limits apply to every MHABD program, except Blind Pension, the Breast and Cervical Cancer Treatment program, and the Qualified Medicare Beneficiary (QMB) or Specified Low-Income Medicare Beneficiary (SLMB) programs:

(A) This subsection identifies the asset limits for MHABD before July 1, 2017.

1. A household that is applying for or receiving MHABD on the basis of being over age sixty-five (65) or permanently and totally disabled does not qualify for MHABD if—

A. It is a one- (1-) person household, and the household has countable assets of one thousand dollars (\$1,000) or more; or

B. It is a two- (2-) person household, and the household has countable assets of two thousand dollars (\$2,000) or more.

2. A household that is applying for or receiving MHABD on the basis of being blind does not qualify for MHABD if—

A. It is a one- (1-) person household, and the household has countable assets of two thousand dollars (\$2,000) or more; or

B. It is a two- (2-) person household, and the household has countable assets of four thousand dollars (\$4,000) or more;

(B) Effective July 1, 2017, a household is not eligible for MHABD, regardless of whether eligibility is determined based on age, blindness, or permanent and total disability, if it has countable assets at or in excess of the following limits:

Dates Effective	One- (1-) person Household	Two- (2-) person Household
July 1, 2017 – June 30, 2018	\$2,000	\$4,000
July 1, 2018 – June 30, 2019	\$3,000	\$6,000
July 1, 2019 – June 30, 2020	\$4,000	\$8,000
July 1, 2020 – June 30, 2021	\$5,000	\$10,000

(C) Effective July 1, 2021 (Fiscal Year 2022), the asset limit identified in section (4) of this rule shall increase every July thereafter at the same rate as the increase in the cost-of-living percentage of the Consumer Price Index for All Urban Consumers (CPI-U), or its successor, as determined by the U.S. Department of Labor. The asset limit shall be rounded to the nearest five cents (5¢).

1. The percentage increase shall be based on changes in the CPI-U between July of two (2) years prior to the year in which the current fiscal year begins and July of the immediately preceding year.

A. Example: To determine the asset limit for Fiscal Year 2022 (FY22), the department shall measure the increase in the CPI-U between July 2019 and July 2020. If the CPI-U increased by one percent (1%) during that period, the asset limit for FY22 shall also increase by one percent (1%);

(D) Notwithstanding the provisions of this section, a person is not eligible for QMB or SLMB if the person’s household has countable assets in excess of the maximum resource level applied for the applicable year under 42 U.S.C. section 1395w-114(a)(3)(D), pursuant to 42 U.S.C. section 1396d(p)(1)(C).

*RSMo 2016.\* Emergency rule filed June 20, 2017, effective July 1, 2017, expired Feb. 22, 2018. Original rule filed June 20, 2017, effective Jan. 30, 2018.*

*\*Original authority: 207.022, RSMo 2014 and 660.017, RSMo 1993, amended 1995.*

*AUTHORITY: sections 207.022 and 660.017,*