



Eligibility Operations Memo 23-23
October 2023

TO: MassHealth Eligibility Operations Staff

FROM: Heather Rossi, Director of Eligibility Policy *Heather Rossi*

RE: Disregard of Certain Assets for Those Subject to Post-Eligibility Treatment of Income (PETI) and the Holyoke Soldiers' Home Settlement

Introduction

MassHealth has asset limitations in place to determine eligibility for certain applicants and members. The purpose of this memo is to provide guidance on members who have accumulated assets over the allowed limit during the COVID-19 public health emergency (PHE). During "redeterminations," as defined in [Eligibility Operations Memo 23-13](#), MassHealth will disregard individuals' accumulation of assets as described in this memo.

MassHealth will also disregard any accumulation of assets from the Holyoke Soldiers' Home settlement.

These measures disregarding accumulation of assets will remain in place until the end of the redetermination period, March 31, 2024.

Disregard of Assets Accumulated During the PHE

During the PHE, existing long-term care (LTC), Home- and Community-Based Services (HCBS) Waiver, or Program of All-Inclusive Care for the Elderly (PACE) members may have accumulated assets for a variety of reasons, including but not limited to the following:

- changes in income while patient paid amounts (PPAs) were not increasing because of the PHE
- changes in PPA deductions, such as the following:
 - changes in private health or dental insurance
 - short-term allowance ending
 - changes in spousal maintenance needs allowance figures
 - changes in family maintenance needs allowance figures
 - changes in minimum monthly maintenance needs allowance

MassHealth will disregard assets accumulated beyond program asset limits for MassHealth members who were enrolled during the PHE. Those assets will be disregarded until after the redetermination period. This means that members who were enrolled during the PHE should complete their renewals during the redetermination period, which extends from April 1, 2023, through March 31, 2024. Members should spend down excess assets before their next renewal after the redetermination period ends. Assets still available and countable during a member's next renewal after the end of the redetermination period will be counted toward eligibility.

NOTE: This guidance does not apply to individuals newly applying for MassHealth. New MassHealth applicants are subject to normal income and asset counting rules in 130 CMR 520.000: *MassHealth: Financial Eligibility*.

Asset Disregard for Participants in the Holyoke Soldiers' Home Settlement

A class action lawsuit was filed against the Commonwealth in 2020 because of the COVID-19 outbreak that took place at the Holyoke Soldiers' Home. A settlement has since been reached and approved. Participants in the settlement were awarded one-time lump-sum payments. These payments ranged from \$10,000 to \$601,000 and were paid to affected veterans or their surviving next of kin or designated beneficiaries.

Effective immediately and through March 31, 2024, MassHealth will disregard these lump sum payments upon verification that they are from the settlement.

Questions

If you have any questions about this memo, please have your MEC designee contact the Policy Hotline.