

# Policy Transmittal

## Aging and People with Disabilities



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**Topic:** Long Term Care

**Number:** APD-PT-24-025

**Issue date:** 10/16/2024

**Updated Date:** 7/1/2025

**Due date:**

**Transmitting (check the box that best applies):**

- ☐ New policy    ☒ Policy change    ☐ Policy clarification    ☐ Executive letter  
☐ Administrative Rule    ☐ Manual update    ☐ Other:

**Applies to (check all that apply):**

- |   |   |
|---|---|
| <input type="checkbox"/> All DHS employees                                | <input type="checkbox"/> County Mental Health Directors                       |
| <input checked="" type="checkbox"/> Area Agencies on Aging: Types A and B | <input type="checkbox"/> Health Services                                      |
| <input checked="" type="checkbox"/> Aging and People with Disabilities    | <input type="checkbox"/> Office of Developmental Disabilities Services (ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs                        | <input type="checkbox"/> ODDS Children's Intensive In Home Services           |
| <input type="checkbox"/> County DD program managers                       | <input type="checkbox"/> Stabilization and Crisis Unit (SACU)                 |
| <input type="checkbox"/> Support Service Brokerage Directors              | <input type="checkbox"/> Other (please specify):                              |
| <input type="checkbox"/> ODDS Children's Residential Services             |   |
| <input type="checkbox"/> Child Welfare Programs                           |   |

Policy/rule title:	Disqualifying Transfer of Assets for Oregon Project Independence – Medicaid (OPI-M)		
Policy/rule number(s):	OAR 461-140-0210 to 461-140-0300, OAR 411-014-0025	Release number:	
Effective date:	Upon release	Expiration date:	
References:	Oregon Project Independence – Medicaid		
Web address:	<a href="#">OPI-M Tools - Resources</a>		

**Discussion/interpretation:**

The purpose of this policy transmittal (PT) is to define the disqualifying transfer of assets rules for Oregon Project Independence – Medicaid (OPI-M). **The examples have been updated with the updated resource limit effective 7/1/2025. If the date of request (DOR) for services for the individual is prior to 7/1/2025, you will want to use**

the previous resource limit which can be found on the [Income Resource Standards document on OPI-M Tools - Resources](#).

Individuals applying for or receiving OPI-M benefits are subject to the disqualifying transfer of assets rules, in OAR 461-140-0210 to 461-140-0300. This is similar to Medicaid Long-term Services and Supports (LTSS) but a different resource limit standard applies. This is a change specific to OPI-M only.

OPI-M will use the current OPI-M individual resource limit for determining uncompensated value of assets. Please see the [OPI-M Tools - Resources](#) webpage for the current OPI-M income and resource standards, as the limits change each year.

### **Implementation/transition instructions:**

Effective immediately, the disqualification period for disqualifying transfer of assets will be calculated using the OPI-M resource limit as the “credit” when determining the uncompensated value of the transferred asset(s). This will result in fewer and shorter disqualification periods.

A five-year review of all assets is required for OPI-M. The length of the disqualification period is determined by the uncompensated value of the transferred asset(s) and the divisor in OAR [461-140-0296\(2\)](#). Use the fair market value and the individual’s countable resources at the time of the transfer to determine the uncompensated value of the transferred asset(s). See OAR [461-140-0250](#) for more information on determining the uncompensated value while applying the OPI-M resource limit.

Individuals with countable resources less than the OPI-M resource limit get a “credit” when the uncompensated value is calculated. The credit is the difference between their countable resources at the time of the transfer and the current OPI-M resource limit. This may bring them up to the resource limit and reduce the uncompensated value, which can reduce the disqualification period.

Note: Disqualification periods served for OPI-M do not apply to LTSS services. If a consumer that served a disqualification period for OPI-M later applies for LTSS services, a new disqualification period will be calculated if the disqualifying transfer(s) were made within the five-year review of all assets at the time of the LTSS application.

**Example:** An OPI-M applicant had \$70,000 and gave away \$20,000 to their grandchild for school on 10/6/2023. At the time of transfer, they had \$50,000 ( $\$70,000 - \$20,000 = \$50,000$ ) in remaining countable resources. The current individual resource limit for OPI-M is **\$99,656**, resulting in a credit of **\$49,656** ( $\$99,656 - \$50,000 = \$49,656$ ) towards the uncompensated value of the transferred asset. Despite giving an asset away, the applicant will not have a disqualification period because the credit is more

than the transfer amount and the applicant would still be under the OPI-M resource limit even if they recovered the transferred asset.

**Example:** An OPI-M applicant had \$120,000 and gave away \$30,000 to their child for a house down payment on 3/2/2024. At the time of the transfer, they had \$90,000 (\$120,000 - \$30,000 = \$90,000) in remaining countable resources. The current individual resource limit for OPI-M is **\$99,656**, resulting in a credit of \$4,523 (**\$99,656** - \$90,000 = **\$9,656**) towards the uncompensated value of the transferred asset. After applying the credit, the uncompensated value of the transferred asset is **\$20,344**. The individual would serve a disqualification period based on this uncompensated value.  
**Important: Any OPI-M cases previously determined to have a disqualification period need to be recalculated to reflect this policy change.**

**Training/communication plan:**

Additional information about OPI-M services and financial eligibility is being developed and will be announced at the OPI-M Q&A daily sessions and posted on the OPI-M Training & Resources site. Previous training material is being updated to reflect this policy change and a quick reference guide is being developed.

**Local/branch action required:**

Staff determining OPI-M eligibility must familiarize themselves with this policy and other tools available on the OPI-M CM Tools webpage.

**Central office action required:**

Central Office (CO) is working to update the OPI-M rules to reflect this change. CO staff is available for technical support. Questions, requests for support or feedback specific to OPI-M can be submitted [here](#).

**Field/stakeholder review:** ☒ Yes ☐ No

**If yes, reviewed by:** Operations and Policy review team

**Filing instructions:**

*If you have any questions about this policy, contact:*

Contact(s): Please send questions through the [OPI-M Questions, Support and Feedback online form](#).

Phone:

Fax:

Email: