

5101:6-2-50 Notice of determinations concerning spouses separated by institutionalization.

- (A) At the time of the determination of eligibility of the institutionalized spouse for medicaid, both the institutionalized spouse and the community spouse shall be provided with the following written notices, or their CRIS-E equivalents, along with the notice of approval or denial: NOTWITHSTANDING RULE 5101:6-2-03 OF THE ADMINISTRATIVE CODE, AN ODHS 7332, "NOTICE OF DENIAL OF YOUR APPLICATION FOR MEDICAID: IN CASES INVOLVING COMMUNITY SPOUSES" MUST BE USED IN LIEU OF AN ODHS 7334 TO DENY APPLICATIONS INVOLVING AN INSTITUTIONALIZED SPOUSE WITH A COMMUNITY SPOUSE.
- (1) "Resource Assessment Worksheet," ODHS 4076.
  - (2) "Resource Transfer Worksheet," ODHS 4077.
  - (3) "Monthly Income Allowance Computation Worksheet," ODHS 4078.
  - (4) "REALLOCATION OF RESOURCES HEARING REQUEST," ODHS 4079.
- (B) Subsequently, upon a request by the institutionalized spouse, the community spouse, or an authorized representative acting on behalf of either spouse, copies of the notices shall be provided to the individual making the request.
- (C) The notices shall demonstrate the method by which the respective determinations were made, inform the individual of the right to and the method of obtaining a county conference and a state hearing, and contain a telephone number to call about free legal services.

Effective Date: January 1, 1996

Certification: Arnold R. Tompkins

December 21, 1995  
Date

Promulgates under: Revised Code Chapter 119.  
Statutory Authority: Revised Code Section 5101.35  
Rule Amplifies: Revised Code Section 5101.35

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