

	GEORGIA DIVISION OF FAMILY AND CHILDREN SERVICES MEDICAID POLICY MANUAL			
	Chapter:	2550	Effective Date:	December 2022
	Policy Title:	Protection of Income		
	Policy Number:	2553	Previous Policy Update:	MT 58

REQUIREMENTS

All or part of the recipient's income is protected for the month of admission to or discharge from a nursing home (NH), Institutionalized Hospice, CCSP/EDWP, ICWP or NOW/COMP.

BASIC CONSIDERATIONS

Income is protected for the month in which any of the following situations occurs:

- The recipient enters a NH, Institutionalized Hospice, CCSP/EDWP, ICWP or NOW/COMP from LA-A or B.
- The recipient leaves a NH, Institutionalized Hospice, CCSP/EDWP, ICWP or NOW/COMP and enters LA-A or B.
- The recipient has CCSP/EDWP, ICWP or NOW/COMP waived services and case management is terminated.
- The recipient is admitted to and leaves a NH, Institutionalized Hospice, CCSP/EDWP, ICWP or NOW/COMP in the same month.
- The recipient is admitted to a NH, Institutionalized Hospice, CCSP/EDWP, ICWP or NOW/COMP and dies in the same month.
- The recipient enters a NH, Institutionalized Hospice, CCSP/EDWP, ICWP or NOW/COMP in the same month in which s/he was admitted to a hospital or other LA-D from LA-A or B.
- Goes directly from NH to CCSP/EDWP or CCSP/EDWP to NH.

NOTE: In the above situation, use the date of admission to the first LA-D as the admission date for determining the amount of protected income.

- For Institutionalized Hospice use the date of election of Hospice services.
- For CCSP/EDWP, ICWP, or NOW/COMP cases, use the date case management begins. Third party vendor payment supplements are not protected. VA Aid and Attendance are not counted in the Patient Liability/Cost Share (PL/CS) budget. Refer to Section [2418](#), VA Aid and Attendance.

Allow the protected income deduction when calculating the PL/CS.

BASIC CONSIDERATIONS (cont.)

Use the following chart to determine the amount of the recipient's income to protect based on when the recipient entered and/or left LA-D. If an A/R enters and leaves a facility/facilities more than once during the same month, or if the A/R dies during the month of admission, the total number of days spent in the facility/facilities for the entire month is considered in determining protected income.

Refer to the following chart.

- Count the day of admission towards the total stay.
- Do not count the day of discharge or death towards the total stay.

CHART 2553.1 – PROTECTION OF INCOME	
IF the applicant/recipient	THEN Protect
enters the 1 st through the 10 th day of the month from LA-A, B, or C	one half income
enters the 11 th through 31 st day of the month from LA-A, B, or C	ALL income
enters/leaves (leaves/enters) or dies in the same month AND the total stay is 10 days or less	ALL income
enters/leaves (leaves/enters) or dies in the same month AND the total stay is 11 days or more	one half income
leaves the 1 st through 10 th day of the month to LA-A, B, or C	ALL income
leaves the 11 th through 31 st day of the month to LA-A, B, or C	one half income
dies in a NH, Institutionalized Hospice, CCSP/EDWP, ICWP, or NOW/COMP in any month after the month of admission	NO income
Leaves CCSP/EDWP and enters a NH on the same day	ALL income in the month of admission to NH
Leaves NH and enters CCSP/EDWP Case Management on the same day	ALL income for the CCSP/EDWP CS for month of entry. NH PL will have a PNA of the FBR in month of discharge to CCSP/EDWP.
is admitted to an LA-D directly from another LA-D and has been continuously residing in the first LA-D since prior to the first day of the month of entry to the second LA-D (except for NH to CCSP/EDWP or CCSP/EDWP to NH)	NO income