



Ohio Administrative Code

Rule 5160:1-3-05.20 Medicaid: deeming of resources.

Effective: February 15, 2026

(A) This rule describes the deeming of resources from an ineligible spouse to an eligible spouse or from ineligible parent(s) to an eligible child who are living in the same household when determining eligibility for medical assistance.

(B) Definitions. For the purposes of this rule:

(1) "Child" means an individual under age eighteen who lives in the household with one or both parents and is neither married nor the head of household. The deeming of parental resources applies through the month in which the eligible child attains eighteen years of age. An eligible or ineligible child's resources are never deemed to parent(s) or sibling(s).

(2) "Deemed resources" means resources attributed to another person whether or not the resource is actually available to the person to whom they are deemed.

(3) "Eligible child" means a child in the household who has applied for medical assistance for the blind or disabled, and who meets all the applicable non-financial and income eligibility criteria for medical assistance.

(4) "Eligible spouse" means the member of a married couple who has applied for medical assistance for the aged, blind, or disabled, and who meets all the applicable non-financial and income eligibility criteria for medical assistance.

(5) "Household" means the eligible spouse, ineligible spouse, and any of the couple's children or the children of either member of the couple; or the eligible child, and the eligible child's parent(s), and other children of the parent(s).

(a) A household does not exist when an individual or a group of individuals does not have a residence. In such a case, only the eligible individual's resources are used to determine eligibility for



medical assistance.

(b) When a child is born in an institution (e.g., hospital), the child is a member of the household at the time of birth unless the parents have completed the required paperwork to surrender the child for adoption or the child has been placed in the temporary custody of a public children's services agency (PCSA) or private child placing agency (PCPA).

(c) An eligible individual or an ineligible spouse or ineligible parent who is temporarily absent, as defined in rule 5160:1-1-01 of the Administrative Code, is still considered to be a member of the household for deeming purposes.

(6) "Ineligible child" means a child in the household who has not applied for medical assistance for the blind or disabled.

(7) "Ineligible parent" means an eligible child's parent who has not applied for medical assistance for the aged, blind, or disabled.

(8) "Ineligible spouse" means the member of the married couple who has not applied for medical assistance for the aged, blind, or disabled.

(9) "Parent" means a natural or adoptive father or mother living in the same household as the eligible child. The resources of a stepparent who lives with the eligible child are deemed to the eligible child only when the natural or adoptive parent also lives in the household with the stepparent and eligible child. When the natural or adoptive parent divorces a stepparent and the eligible child is living with the stepparent, the stepparent is not considered a parent for deeming purposes.

(10) "Spouse" means a person who is legally married to another under Ohio law.

(C) When deeming resources from an ineligible spouse to an eligible spouse, only the resources of those two individuals are considered. When deeming resources from ineligible parent(s) to an eligible child, only the resources of the parent(s) are considered.

(D) Retirement funds, described in rule 5160:1-3-03.10 of the Administrative Code, owned by an



ineligible spouse, parent(s), or sponsor are excluded from resources for deeming purposes.

(E) Spouse to spouse deeming.

(1) When an eligible spouse and an ineligible spouse live together, all resources are combined and the couple is permitted resources in the amount described in rule 5160:1-3-05.1 of the Administrative Code in addition to what is excluded as described in rule 5160:1-3-05.14 of the Administrative Code.

(2) The couple's resource limit is not affected by whether the spouse of the eligible individual is eligible or ineligible for medical assistance.

(3) When the couple's countable resources are less than or equal to the resource limit for a couple described in rule 5160:1-3-05.1 of the Administrative Code, the eligible spouse is resource eligible for medical assistance.

(4) When spouses are no longer living together, each person is considered as an individual living alone beginning the month after separation. The individual resource limit, as described in rule 5160:1-3-05.1 of the Administrative Code, is then applicable.

(a) For the month of separation, the spouses are treated as an eligible couple or as an eligible spouse and ineligible spouse living together in the same household with a resource limit for a couple described in rule 5160:1-3-05.1 of the Administrative Code.

(b) In the month after the month of separation, resources are computed separately because each person is considered to be an individual without a spouse.

(F) Parent to child deeming.

(1) The resource limit for a child is described in rule 5160:1-3-05.1 of the Administrative Code in addition to what is excluded as described in rule 5160:1-3-05.14 of the Administrative Code.

(2) The resources of an eligible child consist of his or her own resources plus the resources that are



deemed to the eligible child from the child's parent(s).

(3) When determining the amount of resources to be deemed to an eligible child, the resources of the eligible child and of the ineligible parent(s) are computed separately and both the eligible child and the parent(s) are each allowed all of the resource exclusions they would normally be eligible for in their own right. Only one home and one automobile are excluded.

(a) After the exclusions are applied, only the countable resources over the resource limit of the parent(s) living in the household are deemed to the eligible child when there is only one eligible child.

(i) When there is one parent in the household the parental resource limit is two thousand dollars.

(ii) When both parents are in the household the parental resource limit is three thousand dollars.

(iii) When both natural or adoptive parents and a stepparent are in the household the parental resource limit is two thousand dollars for one natural or adoptive parent plus three thousand dollars for the other natural or adoptive parent with the stepparent.

(b) When there is more than one eligible child, the resources available for deeming are shared equally among the eligible children.

(c) None of the parents' resources are deemed to any ineligible children.

(4) An eligible child is not eligible for medical assistance when the child's own countable resources plus the value of the parent(s)'s resources deemed to the eligible child exceed the resource limit for a child described in rule 5160:1-3-05.1 of the Administrative Code.