



## Ohio Administrative Code

### Rule 5160:1-3-05.3 Medicaid: the disclosure and treatment of annuities for medical assistance programs.

Effective: September 1, 2017

---

(A) This rule describes the treatment of annuities for the purposes of determining eligibility for medical assistance.

(B) Definition. An "annuity" provides fixed, periodic payments, either for life or a term of years. When an individual purchases an annuity, he or she generally pays the entity issuing the annuity a lump sum of money, in return for which the issuing entity promises regular payments in a specified amount to the individual or designated beneficiary. These payments may continue for a fixed period of time or for the lifetime of the individual or designated beneficiary. The annuity typically contains a remainder clause under which, if the annuitant dies, the contracting entity converts whatever is remaining in the annuity into a lump sum and pays it to a designated beneficiary.

(C) Treatment of annuities in the determination of eligibility for medical assistance.

(1) Any resource meeting the definition of an annuity in paragraph (B) of this rule shall be considered an excluded resource.

(2) Any payments from an annuity shall be considered as unearned income to the individual or designated beneficiary.

---