

A Guide to Establishing Lookback Dates and Sanction Periods

Institutionalization Definitions

Institutionalized for Transfer of Assets: Individual receives institutional services (Nursing facility/ICF-MR/swing bed/inappropriate level of care) or services provided through a Program of All-Inclusive Care for the Elderly (PACE) or through the Community Alternatives Program (CAP).

Institutionalized – Long Term Care Budgeting/Community Spouse Resource Allowance and Continuous Period of Institutionalization: This is 30 consecutive days in a medical facility or combination of medical facilities. The facilities are nursing facility, intermediate care facility-mental retardation (ICF-MR), swing bed, inappropriate level of care in a hospital, or hospital acute level, and psychiatric residential treatment facility (PRTF).

Institutional Living Arrangement: Institution or establishment that provides food, shelter and some treatment to 4 or more persons who are not related to the owner. This includes nursing facilities, group homes, orphanages, adult care homes, residential treatment facilities.

Lookback Date

I. Starting point: Date both the following conditions are met:

1. The a/r is institutionalized (refer to MA-2240, Transfer of Assets, for definition) or requests CAP or PACE, **and**
2. Applies for or receives Medicaid

NOTE: If lookback date has already been established, it does not change. Individuals who first applied for Medicaid 2/1/03 through 10/31/07 established their lookback date based on the first application in any Medicaid program category during that period. (See refer to MA-2240, Transfer of Assets)

II. Lookback date: Earliest point in time on or after which all transfers of resources are evaluated for sanction. The look back date is established by looking back for a specified time prior to the starting point. This time period now depends on when the starting point occurred:

Establishing Lookback Date

	Starting Point prior to 11/1/10	Starting Point 11/1/10 or later, but prior to 11/1/12	Starting Point 11/1/12 or later
Lookback Date	3 years (36 months) prior to starting point for most transfers; 5 years (60 months) for transfers to trusts/annuities	November 1, 2007 for most transfers; 5 years prior to starting point for transfers to trusts/annuities	5 years prior to starting point for transfers of all types.