**Section 240.810 Assets**

a) To be eligible to receive CCP services, a participant shall not own interest in non-exempt assets having a combined value in excess of $17,500, if:

1) unmarried; or

2) married and:

A) spouse is receiving CCP services;

B) spouse is in a nursing facility;

C) spouse does not reside on a permanent basis with, and does not receive support from or give support to, theparticipant;

D) spouse is abandoned; or

E) spouse is potentially abusing the participant.

EXCEPTION: A participant, who is married and the spouse does not receive CCP services, shall not own interest in non-exempt assets having a total value in excess of the asset disregard amount allowed by HFS for Medicaid in a pre-paid burial plan or life insurance policy + burial merchandise. Non-exempt assets having value over the asset disregard amount up to the amount allowed by the Community Spouse Asset Allowance, as adopted by HFS at 89 Ill. Adm. Code 120.379(d), must be transferred to or for the sole benefit of the community spouse. If the couple owns assets that exceed the asset disregard and prevention of spousal impoverishment amounts allowed by statute, the excess (up to the amount of non-exempt assets allowed after transfer, and/or up to the amount of countable monthly income allowed after diversion) shall be designated as a spend down, to be spent before Medicaid enrollment is established.

b) The value of non-exempt assets shall be considered in determining eligibility for CCP.

c) All assets not specifically exempt are non-exempt.

d) When a participant's non-exempt assets are greater than the allowable disregard as specified in subsection (a), consideration of non-liquid assets may be deferred as follows:

1) real property may be deferred from consideration for 6 months;

2) the participant shall sign an agreement to dispose of the real property in excess of the allowable disregard within 6 months after the date of the agreement; and

3) the 6-month period for disposition may be extended an additional 6 months if the participant fails to dispose of the asset (through no fault of his/her own) despite reasonable and diligent effort.

(Source: Amended at 42 Ill. Reg. 20653, effective January 1, 2019)