



FACT SHEET

Medicaid and the Qualified Income Trust

What you need to know

Special income rules apply when an individual requests Medicaid to pay for long-term care services – such as nursing home care – as well as care provided under the home and community-based waiver programs of PASSPORT, Assisted Living Waiver and Ohio Home Care Waiver. A qualified income trust (QIT) allows an individual whose income exceeds the Medicaid Special Income Limit (SIL) to place part of their income into the QIT. Because of this, it is not counted when determining Medicaid eligibility. Excess income placed into the QIT is then used to pay the individual's monthly allowances and expenses.

What is a Qualified Income Trust? Do I need one?

A Qualified Income Trust (QIT), also known as a “Miller Trust,” is a legal arrangement that can allow you to become eligible for Medicaid if your income exceeds the Medicaid Special Income Limit (SIL).

In order to receive Medicaid long-term care services, your monthly income must be below the SIL set by the State of Ohio. If your income is above this amount, you can deposit the excess income into a QIT to become eligible for Medicaid long-term care services (including services through PASSPORT, Assisted Living Waiver or Ohio Home Care Waiver). Money in the QIT will then be used to pay for certain expenses and allowances.

To be valid in Ohio, a QIT must:

- Include your income only. It cannot contain a spouse's income, income from other relatives or other assets.
- Be irrevocable. Once the trust is established, it cannot be changed or canceled.

- The source(s) of income placed into the QIT must be identified.
- You cannot transfer or assign your right to receive income to the trust.
- No other property or resources can be placed into the QIT, except for interest earned on trust funds.
- The trust must terminate upon your death, with the remaining trust funds distributed to the Ohio Department of Medicaid (up to the amount of Medicaid benefits paid on your behalf).

What can the money in the QIT be used for?

Money in your QIT can only be used to pay for:

- Incurred medical expenses
- Your personal needs allowance
- A monthly maintenance allowance for your spouse or family dependents (if applicable)
- Bank fees associated with maintenance of the QIT, up to \$15/month
- Your patient liability (the portion of monthly care expenses you are responsible for after Medicaid benefits are applied)
- Participant liability, if applicable

When do I create a QIT?

If you are enrolling in Medicaid for the first time, you will need to create a QIT immediately in order to receive Medicaid services. It is important to understand that you are not eligible for Medicaid until the QIT has been created and your excess income has been deposited into the QIT. Your Medicaid coverage will be effective on the first day of the month in which the QIT was created and funded as long as all other financial eligibility requirements have been met. Here's an example:

- If you file your Medicaid application on September 25 and create and fund your QIT on September 27, your Medicaid coverage is effective on September 1.
- If you file your Medicaid application on September 25 but wait until October 4 to create and fund your QIT, your Medicaid coverage is effective October 1.

How do I create a QIT?

A QIT is a legal, irrevocable (can't be cancelled) document. The Ohio Medicaid Consumer Hotline or the Pro Seniors Legal Helpline can answer questions and send you information needed to create a QIT (see below). You are not required to use the Ohio Medicaid Consumer Hotline to create your QIT. If you choose not to use the hotline, we recommend that you seek other legal assistance. Council on Aging staff cannot answer questions about QITs or help you create one.

How do I maintain a QIT?

Required monthly QIT account deposits and withdrawals must be made in order to maintain eligibility. You cannot allow income to accumulate in your QIT. Also, you (or your authorized representative) are required to provide monthly bank statements to your county's Department of Job and Family Services each year at your annual Medicaid recertification.

Who can I contact for help or additional information?

It is understandable that you might have questions or concerns. Unfortunately, Council on Aging staff are not qualified to answer questions related to QIT or help you create a QIT. We recommend you contact the Ohio Medicaid Consumer Hotline or Pro Seniors for assistance.

Ohio Department of Medicaid

- (800) 324-8680 (Mon.-Fri., 7 a.m.-8 p.m. & Sat., 8 a.m.-5 p.m.). You can request QIT forms to be mailed to you.
- Email: QIT@medicaid.ohio.gov
- QIT template with trust and trust certification forms:
<https://medicaid.ohio.gov/families-and-individuals/citizen-programs-and-initiatives/qit-template>
- Trust verification form:
<https://medicaid.ohio.gov/static/Resources/Publications/Forms/ODM10193fillx.pdf>

Pro Seniors

The Pro Seniors Legal Helpline is available to provide legal advice about QITs and other Medicaid questions. The legal helpline is free for Ohioans age 60 and older.

- (513) 345-4160 or (800) 488-6070
- www.proseniors.org

Pro Seniors QIT fact sheet:
<https://www.proseniors.org/wpcontent/uploads/2023/11/QIT-Web-2023.pdf>

Preserving Independence, Enhancing Quality of Life

Council on Aging is designated by the state of Ohio to serve older adults and people with disabilities within a multi-county region. We are experts at helping people with complex medical and long-term care needs, offering a variety of services via publicly-funded programs. Our mission: Enhance lives by assisting people to remain independent through a range of quality services.