

**TO:** Local District Commissioners, Medicaid Directors

**FROM:** Judith Arnold, Director  
Division of Coverage and Enrollment

**SUBJECT:** Disability Reviews for Adult Children over 65

**EFFECTIVE DATE:** Immediately

**CONTACT PERSON:** Local District Liaison  
Upstate(518)474-8887 NYC(212)417-4500

The purpose of this GIS message is to clarify the disability review policy for an adult child over the age of 65. GIS 06 MA/005 "Purposes of Medicaid Disability Reviews" informed districts that a disability review may be required for a non-applying adult child of a Medicaid applicant/recipient (A/R) if the certification of disability would exclude an asset from a transfer penalty. Under the transfer of assets provisions, an A/R may transfer his/her homestead or asset to an adult child without penalty, if the child is certified blind or certified disabled. When an A/R transfers an asset to a non-applying adult child and claims the adult child is disabled, a Medicaid disability review must be performed for the child. This includes adult children who are under age 65 and those over age 65. If the adult child has an acceptable disability certification that is currently effective or that was effective at the time of their 65th birthday, a disability review is not required. For a list of acceptable disability certifications see GIS 08 MA/004.

For non-applying adult children who are over age 65, a disability review packet must be compiled per district procedures and sent to the State Disability Review Team for determination. Districts should indicate on the top of the LDSS-654 that the review is for an adult child over the age of 65. Disability determinations for adult children under 65 years of age may continue to be performed by the local Disability Review team (DRT) if the district maintains a local DRT.