

441—223.1(231) Eligibility for LTSS disability services. To be eligible for disability services system funding, an individual will meet the following financial and needs-based eligibility criteria.

223.1(1) Financial eligibility.

a. An adult with disabilities will have an income equal to or less than 200 percent of the federal poverty level.

b. A family of a child with disabilities will have an income equal to or less than 200 percent of the federal poverty level.

c. A person who is eligible for federally funded services and other support will apply for such services and support.

d. Income will be verified using the best information available.

e. Financial eligibility will be reviewed on an annual basis and may be reviewed more often in response to increases or decreases in income.

f. An individual who is eligible for medical assistance must apply for and exhaust such funding for services and support prior to utilization of disability service system funding.

223.1(2) Resource requirements. There are no resource limits for the family of a child seeking children's disability services. An adult seeking disability services must have resources that are equal to or less than \$2,000 in countable value for a single-person household or \$3,000 in countable value for a multiperson household or follow the most recent federal supplemental security income guidelines.

a. The countable value of all countable resources, both liquid and nonliquid, shall be included in the eligibility determination, except as exempted in this subrule.

b. A transfer of property or other assets within five years of the time of application with the result of qualifying, or with the intent to qualify, for assistance may result in denial or discontinuation of funding.

c. The following resources are exempt:

(1) A homestead, including equity in a family home or farm that is used as the individual household's principal place of residence. The homestead shall include all land that is contiguous to the home and the buildings located on the land.

(2) One automobile used for transportation.

(3) Tools of an actively pursued trade.

(4) General household furnishings and personal items.

(5) Burial account or trust limited in value as to that allowed in the medical assistance program.

(6) Cash surrender value of life insurance with a face value of less than \$1,500 on any one person.

(7) Any resource determined excludable by the Social Security Administration as a result of an approved Social Security Administration work incentive.

d. If an individual does not qualify for federally funded or state-funded services or other support but meets all income, resource, and functional eligibility requirements of this chapter, the following types of resources are also exempt from consideration in eligibility determination:

(1) A retirement account that is in the accumulation stage.

(2) A medical savings account.

(3) An assistive technology account.

(4) A burial account or trust limited in value as to that allowed in the medical assistance program.

223.1(3) Needs-based eligibility.

a. An individual must be a resident of Iowa, or, if the individual is a minor, the custodial parent must be a resident of Iowa.

b. An individual must have a disability and reside in or be at risk of residing in institutional settings due to the individual's disability.

c. The results of a standardized functional assessment must support the type and frequency of disability services identified in the individual's case plan. A functional assessment must be completed within 60 days of application for services. The standardized functional assessment methodology will be developed by the department.

[ARC 9282C, IAB 5/14/25, effective 7/1/25]