Medicaid Planning in Florida

A general reference guide

Rooted in Care. Ready for What Comes Next.

Educational Only

Long-term care Medicaid planning helps families understand eligibility, spend-down, documentation, and timing before gifts, title changes, or a Medicaid application. Planning is fact-specific and should be coordinated before a care crisis.

2026 Income Cap	2026 Asset Limit	2026 Spousal Rules	Lookback + Divisor
Individual: $2,982/mo	**Individual: $2,000**	**CSRA: $162,660**	**60 months**
Couple: $5,964	Couple: $3,000	MMMNA:$2,644 | Max CSMIA: $4,067	Penalty divisor: $10,645

Married cases require seperate analysis: the couple limits are not the same as community-spouse protections when only one spouse needs long-term care.

What the Planning Review Considers

- Care setting: home care, ALF, nursing home, PACE, and level-of-care needs.
- Assets: bank accounts, brokerage, retirement accounts, annuities, life insurance, and home.
- Income: Social Security, pensions, IRA distributions, annuities, and insurance payments.
- Authority: capacity, durable POA, trust powers, fiduciary conflicts, and family dynamics.
- Transfers: gifts, loans, caregiver payments, account retitling, deed changes, and large withdrawals.

What Medicaid May Cover

- Nursing home care through Florida long-term-care Medicaid when medical and financial criteria are met.
- Home/community services or PACE when available, authorized, and enrolled.
- Regular medical Medicaid benefits may be separate from long-term-care payment.
- Transfer penalties generally delay payment for long-term-care services - not necessarily every medical benefit.
- Medicare remains important for acute medical care; Medicaid planning usually focuses on long-term care.

Common Planning Tools

- Qualified Income Trust / Miller Trust: may solve an income-cap problem, but not an asset problem.
- Spend-down: use funds for the client's care, medical needs, safety, debts, taxes, and permissible planning costs.
- Homestead review: evaluate title, equity, intent to return, and possible Lady Bird deed planning.
- LTC Partnership policy: benefits paid by a qualified policy may create dollar-for-dollar asset disregard.
- Married cases: community-spouse asset and income protections may materially affect the plan.

Documents to Gather Early

- Durable POA, trust, will, health care surrogate, living will, and deed.
- Current statements for all accounts, plus up to five years of bank and brokerage statements.
- Tax return, 1099s, Social Security/pension letters, annuity and retirement statements.
- Long-term-care policy, Partnership disclosure, benefits-paid ledger, and exhaustion estimate.
- Care contracts, invoices, caregiver logs, proof of payment, diagnoses, and ADL/IADL information.

Call before making these decisions

- Gifting or transferring assets to family
- Changing deeds, beneficiaries, or account titles
- Paying family members for care without documentation
- Applying for Medicaid after major transactions
- Starting large renovations solely to reduce countable assets

Acacia Elder Law & Estate Planning, PLLC

Estate Planning | Probate
Guardianship | Medicaid Planning

(561) 444-7001
www.acaciaelderlaw.com
nicholas@acaciaelderlaw.com