

5160:1-3-05.11 **Medicaid: automobiles and other modes of transportation as resources.**

- (A) This rule describes the treatment of automobiles and other modes of transportation for purposes of determining eligibility for medical assistance.
- (B) Definition. "Automobile", for the purpose of this rule, means any vehicle used for transportation. It can include, in addition to cars and trucks: motorcycles, boats, snowmobiles, animal-drawn vehicles, and ~~even~~ animals.
- (C) One automobile is excluded for the individual, ~~or a member of the individual's household~~ regardless of value, if a member of the individual's household uses the automobile ~~it is used~~ for transportation.
- (1) For the ~~purpose~~ purposes of determining the community spouse resource allowance ~~resource assessment~~ for couples when one spouse is institutionalized, one automobile is considered totally excluded, regardless of its use and value in accordance with rule ~~5160:1-6-04~~ 5160:1-3-06.2 of the Administrative Code.
 - (2) If an automobile is not excluded, count the equity value of the automobile as a resource.
 - (3) Any automobile an individual owns in addition to the one wholly excluded and which cannot be excluded under another rule (e.g., property essential for self-support) is a resource in the amount of its equity value.
 - (4) If one of two automobiles ~~cars~~ can be excluded because of one of the reasons listed above, and the other is a countable resource, the exclusion applies to the automobile ~~car~~ with the greater equity value regardless of which automobile ~~car~~ is actually used.
 - (5) The equity value for all additional automobiles, regardless of the type of vehicle (~~e.g., automobiles, boats, etc.~~), is counted as a resource.
 - (6) The equity value for all vehicles that are not used for transportation (e.g., pleasure boats, snowmobiles, etc.) or excluded under another rule (e.g., necessary for self-employment) is counted as a resource. These vehicles are considered countable personal effects.
- (D) For the purpose of determining whether a vehicle is used for transportation, accept the individual's account of its use ~~unless a question arises~~. If a vehicle is not being used for transportation, determine the reason ~~find out~~ why.
- (1) A temporarily broken-down vehicle normally used for transportation still qualifies as an automobile. One that has been junked or that is used only as a recreational

vehicle (e.g., a boat used weekends on the lake) does not qualify as an automobile.

- (2) Vehicles that do not meet the definition of an automobile are personal effects. The value they have as a resource is their equity value, and the personal effects exclusion, described in rule 5160:1-3-05.10 of the Administrative Code, does not apply to them.

(E) The ~~fair~~current market value of an automobile is determined by the average trade-in value shown for the vehicle in the most recently published "National Automobile Dealers Association (NADA) Guide". The description of the car must be complete enough to enable the administrative agency to ~~locate~~find it in the appropriate NADA guide. The description ~~is to~~should include the year, make, model, number of doors, equipment, etc. Absent evidence to the contrary, assume the vehicle to be in average condition.

- (1) If the NADA guide cannot be used (e.g., animal-drawn vehicle), obtain a ~~fair~~current market value estimate from a disinterested knowledgeable source.
- (2) An individual who disagrees with the value of the vehicle can rebut the value by obtaining a written appraisal of the vehicle's ~~fair~~current market value from a disinterested knowledgeable source, such as a used car or truck dealer or an automobile insurance company. The administrative agency is not bound by this appraisal but the appraisal ~~is to~~should be considered in the evaluation of the vehicle.
- (3) Always verify the collector value of an antique or other collectible vehicle.

Effective: 6/1/2021

Five Year Review (FYR) Dates: 2/25/2021 and 06/01/2026

CERTIFIED ELECTRONICALLY

Certification

05/20/2021

Date

Promulgated Under: 111.15
Statutory Authority: 5160.02, 5163.02
Rule Amplifies: 5160.02, 5163.02
Prior Effective Dates: 09/03/1977, 02/01/1979, 10/01/1979, 01/03/1980,
04/01/1986, 07/01/1988 (Emer.), 09/01/1988,
01/01/1990 (Emer.), 04/01/1990, 07/01/1993,
10/01/2002, 10/02/2014, 08/01/2016