



State of Florida
Department of Children and Families

Rick Scott
Governor

Mike Carroll
Secretary

DATE: September 14, 2016 **TRANSMITTAL NO.:** I-16-09-0010

TO: Economic Self-Sufficiency Operations Managers
Economic Self-Sufficiency Program Offices

FROM: Susan Thomas, Interim Chief, Program Policy (**Signature on File**)

SUBJECT: Revised Assignment of Rights to Support Process

EFFECTIVE: September 1, 2016

This memorandum provides revised procedures for staff about the Assignment of Rights to Support (ARS) notification and routing to Economic Self-Sufficiency Headquarters Program Office. The revised instructions will allow staff to send an electronic notification to Headquarters.

Policy

The Assignment of Rights to Support (ARS) may be allowed in the eligibility determination for the Institutional Care Program (ICP) in situations when the community spouse refuses to make jointly owned assets available for the support and care of the institutionalized spouse. The couple's assets, individually and jointly owned, must be evaluated to determine if the assets are solely owned by the community spouse. The institutionalized spouse may assign his or her rights to support to the state by signing the *Assignment of Rights to Support Form* (CF-ES 2504), when the community spouse refuses to allow access to the assets/funds for the care of the institutionalized spouse.

When the institutionalized spouse assigns their rights to support to the state, Medicaid coverage can be authorized and the state can recoup funds paid on their behalf. There are no changes in the application of policy for this provision. Staff must not recommend ARS or transfer of assets policy to an individual applying for Medicaid.

Revised Procedures

- Staff must no longer complete the Central Region 0011 form.
- Staff must continue to scan all documents on the ACCESS Document Imaging (ADI) System.
- Staff must complete the new routing form, *Assignment of Rights to Support Notification* (CF-ES 2614), which will be added to DCF Forms. (attached)
 - All fields in Sections I and III are mandatory. For Section II, complete only the applicable fields and enter the ADI Document # on the form for each item checked after the document has been indexed.

1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

- Send an email to ESS.HQ.PO.ICPREFUSESUPPORT@myflfamilies.com with the subject line of **ASSIGNMENT OF RIGHTS TO SUPPORT** and attach the completed *Assignment of Rights to Support Notification (CF-ES 2614)*.

If there are policy questions, region offices may contact Dianna Laffey at Dianna.Laffey@myflfamilies.com.

Attachment

cc: Assistant Secretary for Economic Self-Sufficiency (Jeri Culley)
Director (Tonyaleah Veltkamp)
Customer Call Center (Liesta Sykes, Guerschom Alcin, Andrew Houghton, Georgina Santana)
Data Analytics and Contract Management (William Martinez)
EBT (Michael Pogue)
FLORIDA Help Desk (Glenda Washington)
Information Technology (Kit Goodner, Barbara Roglieri, Darren Brooks)
Office of Appeal Hearings (Nathan Koch)
Office of Communications (Jessica K. Sims)
Office of the General Counsel (Lynn S. Hewitt)
Office of Continuous Improvement (Debbie McLemore)
Technology & Project Management (Suzanne Poirier, Margie France, Eileen Schilling)
Program Policy (Voletta Bogan, Dianna Laffey, Connie Mathers)
Public Benefits Integrity (Andrew McClenahan, Sheri Hall, Fred Young)
Florida Legal Services (Cindy Huddleston)
AHCA (Mary McCullough, Lisa Gill, Peggy Hall, Virginia Hardcastle, Shevaun Harris, Beth Kidder, David Rogers)
Florida Bar Elder Law Section (Emma Hemness, Twyla Sketchley)
Florida Healthy Kids (Fred Knapp)