CHANGE NOTICE FOR MANUAL NO. 09-26
POOLED TRUSTS

DATE: June 30, 2026

Manual: **Aged, Blind, and Disabled Medicaid**

Change No: **09-26**

To: **County Directors of Social Services**

I. BACKGROUND AND CONTENT OF CHANGE

The Division of Health Benefits (DHB) updated MA-2230 Financial Resources and MA-2240 Transfer of Assets. The North Carolina General Assembly passed Senate Bill 344, changing what is considered an allowable transfer to a Pooled Trust for individuals age 65 and older. Below is guidance on what changes were made and where to find them.

II. POLICY UPDATE

A. MA-2230 FINANCIAL RESOURCES

1. Section XI. Trust Funds C. 4. Pooled Trust

   Pooled Trusts created on or after July 1, 2026, for an individual age 65 and older do not need to be evaluated for a Transfer of Assets. Any additions to a Pooled Trust made on or after July 1, 2026, for an individual age 65 and older are not evaluated for a Transfer of Assets.

   NOTE: Creation of or additions to Pooled Trusts made prior to July 1, 2026, for an individual age 65 and older must still be evaluated for a transfer of assets.

2. Section XI. Trust Funds J. Irrevocable Trusts 5.

   When the a/b is the beneficiary of a Pooled Trust (See definitions in XI.C.4. above) established on or after April 1, 1994:

   a. Countable Resources

      Do not count the trust principle or undistributed proceeds.

b. Transfer of Assets

(1) Creation of or additions to a Pooled Trust made at any age, on or after July 1, 2026, does not need to be evaluated for a Transfer of Assets.
NOTE: Transfers or additions to Pooled Trusts made prior to July 1, 2026, for an individual age 65 and older must still be evaluated for a transfer of assets.

(2) <u>Any</u> disbursement from a Pooled Trust <u>that</u> <u>is not for the sole benefit of the individual</u> must be evaluated for a Transfer of Assets. Evaluate disbursements at application **and** each redetermination.

B. MA-2240 TRANSFER OF ASSETS

1. Section VIII. Allowable Transfers to a Trust C. Transfers to Pooled Trusts

a. Transfers of the a/b's assets made to a Pooled Trust on or after July 1, 2026, regardless of age, are allowable as long as it meets all criteria described in MA-2230 Financial Resources XI C.4. Note: Transfers to Pooled Trusts made prior to July 1, 2026, for an individual age 65 and older must still be evaluated for a transfer of assets.

b. <u>Any</u> disbursement from a Pooled Trust <u>that</u> <u>is not for the sole benefit of the individual</u> must be evaluated for a Transfer of Assets. Evaluate disbursements at application **and** each redetermination.

III. EFFECTIVE DATE AND IMPLEMENTATION

This policy is effective July 1, 2026. This change notice applies to all pending applications, recertifications and changes in circumstance in progress as of July 1, 2026.

If you have any questions regarding information in this letter, please contact your Operational Support Team Representative.

Melanie Bush

Melanie Bush
Deputy Secretary, NC Medicaid