

Qualifying Income Trust

A Qualifying Income Trust (QIT) is also known as a Miller Trust. This type of trust allows someone whose income is over the standard to become eligible for Medicaid when Nursing Facility or Waiver Services are needed. To establish a QIT contact an attorney.

Income put in a QIT is not counted in determining Medicaid eligibility. But it is counted in determining the amount someone has to pay toward the services they receive.

The DMS must also review all payments from the QIT before the payment is made.

To be approved as a QIT, the trust has to include at least the following:

1. Has to be irrevocable. This means that when the money is put in the trust, someone can not change their mind later and take the money back.
2. Income must be put in the trust to bring the individual below the Special Income Standard.
3. No resources can be put in the trust. This means that money in a savings account can not be put in the trust.
4. A separate account must be set up. This means a bank account someone already has can not be used for the trust.
5. The terms of the trust must provide that at death, Medicaid will get the money in the trust, up to the amount that was spent on that person's care by Medicaid.
6. The trustee of trust must consult with Medicaid on payments from the trust before they are made in order to assure that those payments are allowable under the federal and state law.

Criteria for QIT can be found in the Social Security Act Section 1917, the State Medicaid Manual Section 3259, and 907 KAR 20:020 and 907 KAR 20:030.