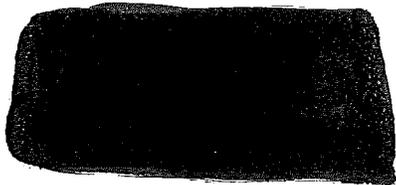


STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES
APPEALS OFFICE – Louis Pasteur Building
57 Howard Avenue
Cranston, RI 02920
(401) 462-2132 / Fax # (401) 462-0458
TDD # (401) 462-3363

Date: November 21, 2014

Docket # 14-1371
Hearing Date: November 3, 2014



ADMINISTRATIVE HEARING DECISION

The Administrative Hearing that you requested has been decided against you. During the course of the proceeding, the following issue(s) and Agency policy reference(s) were the matters before the hearing:

THE MEDICAID POLICY MANUAL: MEDICAL ASSISTANCE
SECTION: 0380 Resources Generally
SECTION: 0382 Evaluation of Resources

The facts of your case, the Agency policy, and the complete Administrative Decision made in this matter follow. Your rights to judicial review of this decision are found on the last page of this decision.

Copies of this decision have been sent to the following: You (the appellant in c/o your daughter/POA), and Agency representatives: Jacqueline Durand, Deborah Castellano, and Thomas Conlon.

Present at the hearing were: your daughter/POA, your son-in-law, your witness, and DHS representative Jacqueline Durand.

ISSUE: Is the appellant ineligible for Rhode Island Medical Assistance (MA) because her countable resources exceeded the program's resource limit of \$4,000.00 at the time of her application/request for MA in June 2014?

POLICIES:

Please see the attached APPENDIX for pertinent excerpts from the MEDICAID Policy Manual.

APPEAL RIGHTS:

Please see attached NOTICE OF APPELLATE RIGHTS at the end of this decision.

DISCUSSION OF THE EVIDENCE:

The Agency representative testified:

- The Agency received a Long Term Care Medical Assistance (MA) application for the appellant on June 25, 2014.
- Per a Quit Claim Deed dated February 12, 2002, the appellant has a life estate in a property in Massachusetts.
- Per the town's tax assessor data base, the property is assessed at having a value of \$221,700.00.
- At the time of application, the appellant was 91 years old.
- Per the life estate table and the appellant's age, her share of the life estate is 26.955% which means that her share of the house is valued at \$59,759.24.
- On July 22, 2014, a notice was sent denying eligibility due to excess resources per policy section 0382.10.05.15.
- To be eligible for medical assistance, an applicant must be a Rhode Island resident and as such have an intent to stay in the State permanently or for an indefinite period of time. If an applicant expresses an intent to return to an out of state residential property they are not considered a R.I. resident for the purposes of determining medical assistance eligibility.
- The appellant considers herself to be a resident of R.I. not a resident of Massachusetts. The appellant currently resides at a Nursing Facility in R.I. and she did not issue any intent to return to her property in Massachusetts.
- While the appellant is considered a R.I. resident, she still owns a life estate in Massachusetts that has not been liquidated, so the life estate is a countable resource.
- Out-of-state residences are looked at differently than in-state residences. If the life estate property was in R.I., was the appellant's principle place of residence, and the appellant had signed an intent to return home, then the life estate would not have been counted. If the appellant had signed an intent to return home to her Massachusetts life estate though, she would have been considered a Massachusetts resident and her application for RI Medicaid would have been denied for non-residency as opposed to being denied for over resources.
- If the applicant lives and intends to remain in the State of R.I. but does not own property in R.I., the home exclusion may be applied to an out of state residential property if and only if it is the principle place of residence of the applicant's spouse or dependent child. The appellant is a widow with no dependent children so the exclusion does not apply.

- Per policy, an out of state residential property can temporarily be excluded as a resource but only when it has been determined by the DHS legal office that there is a legal impediment to the sale of the property due to joint ownership, or the property is an unavailable resource as defined in sections 0356. For the property to be non-countable, the Agency would need a letter from an attorney or a real estate broker documenting why the property cannot be sold. If the property is determined non-countable under this provision, as a condition of eligibility the applicant must take all reasonable actions to liquidate the resource.
- The Agency did receive a letter from an attorney but she did not state that the property could not be sold or liquidated just that the appellant's daughter did not want to agitate her mother by selling the house.
- The date the life estate is created only matters if it was created in the last five years because that would have resulted in implementation of a transfer penalty.
- When determining eligibility, the Agency determines total countable resources as of the first day of the month of application. As of June 1, 2014, in addition to her life estate, the appellant had \$19,008.20 in a checking account so her countable resources totaled \$78,767.44.
- The Agency did not count the appellant's pension check which was deposited into her checking account on May 30, 2014 because that was considered income not a resource.
- The \$12,000.00 used to purchase the appellant's burial was counted as a resource because it was in the account on June 1, 2014.

The appellant's daughter/POA testified:

- The appellant entered a R.I. Nursing Home (NH) on April 8, 2014 and continues to reside there.
- The appellant previously lived and owned a home in Massachusetts.
- Due to health and safety issues the appellant could not live on her own any longer.
- She chose to place the appellant in the R.I. NH because it is very close to her residence in R.I. and all of the Massachusetts NH nearby had terrible ratings.
- The appellant went to an Attorney and created the life estate in the Massachusetts property a long time ago.
- The life estate was created because the appellant wanted to live in her house as long as she could and then have the house transfer over to her daughter/POA.

- The appellant considers the NH her home now and she is not going to return to her life estate in Massachusetts.
- There have been no attempts to sell the house and/or the life estate.
- The house is unoccupied and is not for sale and they do not know whether they will rent the property or what they will do with it.
- She does not understand why the Massachusetts property is counted as part of the appellant's estate when it was put in trust to her daughter.
- The property should also be considered an unavailable resource because the appellant is applying for assistance from the State of R.I. and the property is not in R.I.
- All of the appellant's other assets have been spent/taken. The home is the appellant's last remaining resource.
- She pays property taxes based on the house value of \$221,700.00 and she has no evidence to establish the value of the home is different than that.
- She does not dispute the Agency's calculation of the value of life estate using the life estate tables other than that the appellant is now 92 years old, having turned 92 on [REDACTED].
- She thinks the Agency's calculated value of the appellant's checking account is high. Bonds that the appellant had were relinquished/cashed and the \$17,385.60 was deposited into her checking account on May 22, 2014. The money from the bonds was used to purchase the appellant's burial contract. The burial contract was purchased for \$12,000.00 on June 1, 2014 and the check was cashed on June 5, 2014.

The appellant's witness testified:

- She is an attorney and assisted the daughter/POA in completing Exhibit A, which was attached and submitted with the appeal request. Exhibit A details what the thought process was at the time that the life estate deed was executed.
- The life estate was intended as an estate planning vehicle.
- At the time, she discussed a variety of different estate planning vehicles with the appellant and the appellant selected the life estate.
- The appellant, like many elderly people, was concerned about transferring complete control of her home to a third party, even if it was her only child, so the life estate was the only option available her.
- When the life estate deed was executed in Massachusetts, it would have been an effective estate planning tool in Massachusetts, as well as in R.I., meaning it would

have been unavailable for estate recovery purposes and thereby considered an unavailable resource.

- The appellant's life estate is a problem only because the appellant became a R.I. resident
- If the life estate property was in R.I. it would have been a non-issue. If the appellant had claimed the Massachusetts life estate as her home then it would have been a non-countable resource but then she would have been denied Medical Assistance for not being a RI resident.
- The appellant's life estate is unavailable for estate recovery because it is outside the State of R.I. and it should thereby be considered an unavailable resource regardless of her move from one State to the other.

FINDINGS OF FACT:

- The Agency sent the appellant a notice in c/o her daughter/POA dated July 22, 2014, informing her that her application for Medical Assistance (MA) had been denied for the month of June 2014 because her resources in the amount of \$78,767.44 exceeded the program's standard resource limit of \$4,000.00.
- A timely request for hearing was received by the Agency on August 25, 2014.
- An Administrative Hearing was convened on November 3, 2014.
- The appellant was born on [REDACTED], [REDACTED].
- In June 2014, a R.I. Medical Assistance (MA) application was submitted on behalf of the appellant.
- At the time of application, the appellant resided in a R.I. Nursing Home and intended to remain living in R.I.
- The R.I. Medical Assistance standard resource limit for institutionalized individuals is \$4,000.00.
- As of the first moment of the month of application, the appellant's resources consisted of a checking account and a life estate located in Massachusetts.
- As of the first moment of the month of application, the appellant's life estate had a value of \$57,134.31.
- As of the first moment of the month of application, the appellant's checking account contained assets in the amount of \$19,008.20.

- A check in the amount of \$12,000.00 was written to a Funeral Home on June 1, 2014 and cleared from the appellant's checking account on June 5, 2014.

CONCLUSION:

The issue to be decided is whether the appellant is ineligible for Rhode Island Medical Assistance (MA) because her countable resources exceeded the program's resource limit of \$4,000.00 at the time of her application/request for MA in June 2014.

There is no dispute that at the time of her June 25, 2014 application for R.I. MA, the appellant was a resident of a R.I. Nursing Home (NH) who intended to remain residing in R.I. The R.I. Medicaid Policy Manual sections 0376 through 0398, which sets forth the policies and procedures for determining R.I. MA eligibility for institutionalized individuals must thereby be utilized. A full review of these MA rules finds that for MA eligibility to exist, an institutionalized applicant's countable resources cannot exceed \$4,000.00. Countable resources are resources owned by the applicant as of the first moment of the month for which eligibility is being determined, unless otherwise excluded by the MA regulations.

The Agency testifies that as of June 1, 2014, the first of the month of application, the appellant's countable resources consisted of a checking account valued at \$19,008.20 and a life estate in a Massachusetts property valued at \$59,759.24. The Agency argues that since the total combined value of the appellant's resources at the time of application exceeded \$4,000.00, she is ineligible for R.I. MA.

The appellant's daughter/POA argues that the appellant's life estate should be considered an unavailable resource, and thereby non-countable in the determination of her eligibility for R.I. MA, because the property is not located in the State of R.I. and will never be subject to a probate proceeding in R.I. for estate recovery purposes. She further argues that a \$12,000.00 burial contract was purchased on June 1, 2014, thereby significantly decreasing the value of the appellant's checking account.

Further review of MA policy finds that for a resource to be considered countable it must be available to the applicant. A resource is considered available even if it first needs to be converted into a useable form, as long as there is no legal impediment to the conversion. The evidence record establishes that on February 12, 2002 the appellant executed a Quit Claim Deed whereby she transferred her ownership interest in her home in Massachusetts to her daughter but retained a life estate allowing her full use, control, income and possession of the property during her lifetime. Per MA policy relative to real estate, and specifically life estates, a life estate holder may use the property as their home, rent the property, or sell their interest in the property, thereby rendering a life estate a countable resource. While further review of MA policy does find that a life estate in an out-of-state property, such as the appellant's, could be excluded as the home if it is the principle place of residence of the applicant's spouse or dependent child, as the appellant has no spouse and/or dependent child, her out-of-state life estate is a non-excluded resource. It should also be noted, as testified to by the Agency, MA policy does allow temporary exclusion of an out-of-state life estate in certain circumstances, specifically when the DHS legal unit has determined that there is a legal impediment to the

sale of the property and/or under certain circumstances when there is an inability to sell or liquidate the property but the applicant is taking reasonable actions to do so, the evidence record establishes that there have been no attempts to sell the property and/or the life estate and there have been no claims that such cannot be done. In summary, the appellant's life estate was an available resource to her at the time of her MA application and it is thereby countable in the determination of her eligibility for R.I. MA regardless of whether or not the life estate would be subject to estate recovery in R.I.

The value of a life estate is based on the equity value of the property and the age of the life estate holder. The Agency determined the value of the appellant's life estate to be \$59,759.24 based on the property's value of \$221,700.00 and the appellant's age of 91 at the time of her MA application. Per MA policy, when determining the value of a life estate, the age of the estate holder should be rounded to the nearest year. As the appellant applied for MA on June 25, 2014 and she was born on [REDACTED], her age should have been rounded up to age 92 when determining the value of her life estate. Using the Life Estate and Remainder Interest Tables, a property value of \$221,700.00, and an age of 92, the appellant's life estate thereby has a value of \$57,134.31.

There is no dispute that in addition to the life estate, the appellant has a checking account, the value of which is a countable resource. The submitted bank documents establish that as of the first moment of the month, the account held assets in the amount of \$19,008.20. While the bank documents provide evidence of a \$12,000.00 check written to a funeral home on June 1, 2014 and deducted from the appellant's checking account on June 5, 2014, because the check was written after the first moment of the month, the \$12,000.00 is considered an available resource and thereby countable as of the first moment of the month.

In conclusion, the value of the appellant's checking account and the value of her life estate as of the first moment of the month of her application for MA are countable resources in the determination of her eligibility for R.I. MA. The appellant applied for MA in June 2014. As of June 1, 2014, her life estate had a value of \$57,134.31 and her checking account had a value of \$19,008.20. The appellant's countable resources at the time of application thereby total \$76,142.51.

After a careful review of the Agency's policies, as well as the testimony and evidence submitted, this Appeals Officer finds that the appellant is ineligible for Rhode Island Medical Assistance (MA) because her total countable resources of \$76,142.51 exceeded the program's resource limit of \$4,000.00 at the time of her application/request for R.I. MA in June 2014. The appellant's request for relief is thereby denied.



Debra L. DeStefano
Appeals Officer

APPENDIX

MEDICAL ASSISTANCE (MEDICAID)

0376 OVERVIEW OF MA

0376.05 MANUAL ORGANIZATION

REV:06/1994

Sections 0376 through 0398 of the Manual set forth policies and procedures to determine Medical Assistance eligibility and Medical Assistance payment for services to INSTITUTIONALIZED INDIVIDUALS. Institutionalized persons in this context refers to individuals who reside in institutional settings, or who receive home and community based services under a Waiver. The remainder of this section, OVERVIEW OF MA, describes who is considered to be institutionalized for the purpose of determining MA eligibility and the sequence of determinations. This section also lists the terminology for institutionalized persons, the coverage groups and Waiver programs to which they may belong, and services for the relocation of institutionalized individuals;

Section 0378, PRIOR AUTHORIZATION FOR INSTITUTIONALIZED CARE, sets forth the provisions governing prior authorization for institutionalized care, which is a requirement for MA payment of care in certain medical facilities;

Section 0380, RESOURCES GENERALLY, contains general provisions which apply to an institutionalized individual's resources - resource limits, definitions, distinguishing resources from income, determining the countable resources of an institutionalized individual with a community spouse or dependents, resource reduction, and deeming of resources;

Section 0382, EVALUATION OF RESOURCES, sets forth the First Moment of the Month Rule (FOM) and the policies for evaluating specific types of resources;

Section 0384, RESOURCE TRANSFERS, defines resource transfers and when a prohibited transfer may result in a period of ineligibility for MA payment of long term care;

Section 0386, INCOME GENERALLY, contains general provisions which apply to an institutionalized individual's income -- limits, deeming considerations, definitions, and when income is counted;

Section 0388, TREATMENT OF INCOME, describes the various income exclusions and the evaluation of specific types of income such as rental property income and VA payments.

Section 0390, FLEXIBLE TEST OF INCOME, contains the policies governing the spenddown of excess income to achieve Medically Needy eligibility;

Section 0392, POST-ELIGIBILITY TREATMENT OF INCOME, describes how the amount of income that an institutionalized individual must allocate to the cost of his or her care is determined;

Section 0394, SSI-RELATED COVERAGE GROUPS, describes the eligibility requirements and other provisions of the specific SSI- related coverage groups to which an institutionalized individual may belong;

Section 0396, WAIVER PROGRAMS - GENERAL PROVISIONS, contains the eligibility requirements and other common provisions governing home and community-based services;

Section 0398, SPECIFIC WAIVER PROGRAMS, describes the program goals, eligibility requirements, and services of the specific Waiver programs.

0380 RESOURCES GENERALLY

0380.05 RESOURCE LIMITS

REV:06/1994

For MA Resource eligibility to exist, the institutionalized individual's countable resources cannot exceed the following basic limits:

- o For Categorically Needy eligibility - \$2000
- o For Medically Needy eligibility - \$4000

The evaluation of resources of an institutionalized individual with a community spouse first determines:

- o The total joint resources of a couple;
- o The spousal share of resources; and,
- o The community spouse resource allowance.

The computation of the community spouse resource allowance is based on the couple's total joint resources and the spousal share of those resources as of the first moment of the month in which the period of continuous institutionalization begins.

Except for the community spouse resource allowance, the total joint resources of a married couple with an institutionalized spouse are deemed available to the institutionalized spouse for purposes of MA eligibility.

Each determination of eligibility (new, reopening or redetermination) requires a review of resources, which includes sending three bank statements (AP-91). Resources are also reviewed at the time of a reported change, or when information is received which indicates a change has occurred, or that unreported resources may exist (Income Eligibility Verification System match, etc.). Resources must be verified by a review of documents related to the resource, with copies of the documentation kept for the case file.

0380.30 AVAILABILITY OF A RESOURCE

REV:06/1994

In order to be countable in the determination of Medical Assistance eligibility, a resource must be available to the individual. The individual must be able to use the resource to provide food, shelter, clothing, or convert it into a form in which it can be used to meet needs:

- o A resource is considered to be available both when actually available, and when the applicant has the legal ability to make such sum available for support and maintenance;
- o Resources are not available when a legal impediment exists which precludes the applicant from making the resource available for support, maintenance or medical care. Applicants/Recipients are required, as a condition of eligibility, to cooperate with the Department in making resources available. See Section 0308, COOPERATION REQUIREMENTS.

0380.35 EXCLUDED RESOURCES

REV:07/2008

In determining eligibility for both Categorically Needy and Medically Needy Medical Assistance for an institutionalized individual, the following resources, subject to certain rules discussed in Section 0382, EVALUATION OF RESOURCES, are EXCLUDED:

- o THE HOME AND ASSOCIATED LAND up to an equity value as set forth in section 0382.10.05;
- o HOUSEHOLD GOODS AND PERSONAL EFFECTS, regardless of value;
- o ONE AUTOMOBILE, regardless of value;
- o LIFE INSURANCE with a face value less than \$1,500 for Categorically Needy; less than \$4,000 for Medically Needy;
- o BURIAL SPACES;
- o IRREVOCABLE BURIAL CONTRACTS OR TRUSTS;
- o FUNDS SET ASIDE FOR BURIAL, up to a maximum of \$1,500;
- o RETROACTIVE RSDI AND SSI BENEFITS, for a limited period;
- o RESOURCES NECESSARY FOR SELF EMPLOYMENT;
- o RESOURCES DESIGNATED BY SSA FOR A PLAN OF SELFSUPPORT for a blind or disabled individual;
- o RESOURCES EXCLUDED BY SPECIFIC STATUTES
- o RESOURCES DISREGARDED DUE TO PAYMENTS TO AN LTC FACILITY UNDER A QUALIFIED STATE LONG TERM CARE

0382 EVALUATION OF RESOURCES

0382.05 FIRST MOMENT OF THE MONTH RULE

REV:06/1994

Countable resources are determined as of the FIRST MOMENT OF THE MONTH (FOM). The determination is based on the resources the individuals own, their value, and whether or not they are excluded as of the first moment of the month. The FOM rule establishes a point in time at which to value resources; what a person owns in countable resources can change during a month but the change is always effective with the following month's resource determination. The kinds of changes that can occur are:

o CHANGES IN VALUE OF EXISTING RESOURCES

The value of an existing resource may increase or decrease. For example, the value of a share of stock may decrease by \$30 or increase by \$20.

o DISPOSITION OR ACQUISITION OF RESOURCES

An individual may dispose of an existing resource (e.g., close a savings account and purchase an item) or may acquire a new resource (e.g., an inheritance which is subject to the income-counting rules in the month of receipt).

o CHANGE IN EXCLUSION STATUS OF EXISTING RESOURCES

An individual may replace an excluded resource with one that is not excluded (e.g., sell an excluded automobile for nonexcluded cash) or vice versa (use nonexcluded cash to purchase an excluded automobile). Similarly, a timelimited exclusion (such as the period for exclusion of retroactive Title II benefits) may expire. Changes such as SSI, SSA, and Lump Sums do not effect the countable value of resources in the month in which they occur. Any change does not effect countable resources until the first moment of the following month. If countable resources exceed the limit as of the first moment of a month, the recipient is not eligible for that month, unless the resources are reduced by expenditure on certain allowable expenses, see Section 0380.45, RESOURCE REDUCTION.

Resources are evaluated using the methodologies set forth in the remainder of Section 0382 for the various types of resources. Each type of resource has its own unique deductions, exclusions, and methods for evaluation to determine its countable value. If not otherwise indicated, the countable value of a resource is the equity value (fair market value less legal encumbrances). Once the countable value of each resource (after the appropriate exclusions/deductions) is determined, the countable values of all resources (including deemed resources) are added together to determine the total countable resources for the institutionalized individual.

0382.10 Real Estate

REV: 07/2006

The policies and procedures set forth in the following sections will be used to determine Medicaid eligibility and Medicaid payments for services to INSTITUTIONALIZED INDIVIDUALS.

The equity value of real property owned by an individual that is neither excluded (up to a certain amount) as the home nor determined unavailable is a countable resource. Real property may consist of land, buildings, and objects permanently attached to the land, (including "mobile" homes permanently sited). Real property includes the value of certain interests in real estate such as life estates, mineral rights, easements, and life leaseholds.

0382.10.05.15 Out-of-State Residences

REV: 03/2004

To be eligible for Medicaid, an applicant must be a Rhode Island resident and, as such, have an intent to

stay in the state permanently or for an indefinite period. Accordingly, an applicant who has expressed the intent to return to an out-of-state residential property shall not be considered a Rhode Island resident for the purposes of determining eligibility for Medicaid.

When an applicant owns residential properties both in and out-of-state, the home exclusion may only be applied to the property located in Rhode Island. The value of out-of-state residential property is a countable resource, even if it is the principal place of residence of the applicant's spouse/dependent child, as long as the applicant maintains an ownership interest in a Rhode Island residential property.

If the applicant does not own real property in Rhode Island, but lives and intends to remain in the state, the home exclusion may be applied to an out-of-state residential property if, and only if, it is the principal place of residence of the applicant's spouse or dependent child.

An out-of-state residential property may otherwise only be deemed temporarily excluded when it is determined that:

There is a legal impediment to the sale of the property due to joint ownership (as specified in Sections 0356.10.10, 0356.10.10.05, 0382.10.10, and 0382.10.10.05); or

The property is an unavailable resource as defined in Sections 0356.10.10.10, and 0382.10.10.1

0382.10.05.20 Temporary Absence and Intent to Return

REV: February 2014

The home may be excluded during an applicant's temporary absence (e.g., due to hospitalization or nursing home care) when both of the following conditions are met:

- The applicant intends to return to the home; and
- The home is located in Rhode Island.

0382.55 Life Estate

REV: 07/2006

A life estate is a legal procedure giving a person certain rights in a property for his/her lifetime.

Usually a life estate conveys the property to one party (the life estate holder) for life and to a second party (remainderman) when the life estate expires. The holder of the life estate agreement is entitled to all of the income produced by the property unless the life estate specifies otherwise. The agreement which creates a life estate is a will, a deed or some other legal instrument. The physical property has one value and the life estate has another, separate value. The value of the life estate is based on the equity value of the property and the age of the life estate holder. The life estate holder may use the property as his home for the rest of his life, or he may rent the property or sell his interest.

A primary obligation of the life estate holder is to preserve the property in the same condition as when s/he received it so that, at his/her death, it will pass to the remainderman in much the same condition. The remainderman has an ownership interest in the physical property but s/he cannot possess or use the property until termination of the life estate. Unless restricted by the life estate agreement, the remainderman can sell his/her interest in the property before the life estate expires.

0382.55.05 Life Estate Exclusions

REV: 01/2014

A life estate in real property located in Rhode Island that is the home of the applicant/recipient is excluded, if the equity value of the life estate is less than five hundred and forty-three thousand dollars (\$543,000.00) (and the applicant intends to return to the home) or is the primary residence of the LTSS resident's spouse, minor child or disabled child of any age.

Please note that under the Deficit Reduction Act of 2005, if an individual has purchased a life estate in

another individual's home on or after July 1, 2006, the individual must have resided in the home for a period of at least one (1) year after the date of purchase. A life estate may be excluded if the life estate cannot be sold.

If the life estate cannot be sold, then the value is not available to the applicant and it is excluded on that basis. The salability of the life estate must be reviewed at each redetermination.

0382.55.10 Evaluation of Life Estate/Remainder Interest

REV: February 2014

The value of a life estate or remainder interest is based on the equity value of the real property and the mortality table.

To determine the value of a life estate, the Office of LTSS will:

- Determine the EQUITY VALUE of the real property by subtracting any encumbrances from the Fair Market Value;
- Round the age of the estate holder to the nearest year;
- Consult the Life Estate and Remainder Interest Tables which provide the value of a life estate and the value of a remainder estate at any given age. Multiply the equity value of the real property by the appropriate figure from the Life Estate and Remainder Interest Tables

NOTICE OF APPELLATE RIGHTS

This Final Order constitutes a final order of the Department of Human Services pursuant to RI General Laws §42-35-12. Pursuant to RI General Laws §42-35-15, a final order may be appealed to the Superior Court sitting in and for the County of Providence within thirty (30) days of the mailing date of this decision. Such appeal, if taken, must be completed by filing a petition for review in Superior Court. The filing of the complaint does not itself stay enforcement of this order. The agency may grant, or the reviewing court may order, a stay upon the appropriate terms.