



# What can I buy and still be eligible for SSI and/or Medicaid?

---

❖ Please read this *only* if you live in Washington State.

❖ You can find all the fact sheets we link to here at [WashingtonLawHelp.org](https://www.washingtonlawhelp.org).

---

## Should I read this?

You should read this if you are in any of these situations:

1. You are applying for SSI or Medicaid, but you currently have **too much money** or property to qualify.
2. You already get SSI or Medicaid. You **received extra money** or property from an inheritance, gift, or court settlement.
3. You already get SSI or Medicaid. Someone wants to **give you a gift**.

## What is the resource limit?

In most situations, the resource limit for SSI and Medicaid is \$2,000 for one person or \$3,000 for a couple. Be careful, though. **Being even a little bit over the limit could cause you to lose benefits.**

For example, you might have \$2,000 in a bank account. This meets the limit. If that bank account earns just fifty cents in interest, you could become ineligible for benefits.

**Not all resources count** toward this overall resource limit.

## What counts as a resource?

Cash and bank accounts count towards the resource limit. Physical property can also count if you can easily sell it. Some money and property are not counted (they are “exempt”). This can include things you need for everyday life, like a house, a car, clothing, and household goods.

## Why is there a resource limit?

To get SSI or Medicaid, you can **only** have a **certain amount of money** or property (“resources”). It helps to understand *why* there is a resource limit for SSI and Medicaid before thinking through how it works.

Generally, SSI and Medicaid are for people who cannot afford to pay for their basic needs with what they already have.

If you can pay for your basic needs with what you already have, you may not need SSI and Medicaid right now.

- 
- ❖ Not all resources are the same when talking about benefits. For example, the things you need for everyday life, like a house, a car, clothing, and household goods, are **not** counted as part of the resource limit.
- 

The rules about the resource limit rules are complicated. We provide a general explanation here.

## Why does it matter if I am over the resource limit?

For **each month** that you are **over the resource limit**, you cannot get (are ineligible for) SSI.

If you keep getting benefits while over the resource limit, you will have an overpayment. “Overpayment” means that you got benefits when you should not have, and you may have to pay those benefits back. Read [Fighting an SSI or SSDI overpayment notice](#) to learn more.

If you are over the resource limit for months before you and/or the Social Security office discovers this, you will have an overpayment for all those months. You may have to pay those benefits back.

## What if am over the resource limit?

Generally, you can do any combination of these 3 options:

1. You can spend or use the resource(s),
2. You can temporarily stop getting SSI and/or Medicaid.
3. You can find another way to hold the resource(s) and stay on SSI and/or Medicaid.

We discuss below how you can spend or use the resource(s). This is can be your best option if the money or property is only a little over the resource limit.

## Can I give away the money or property and stay eligible for SSI or Medicaid?

No.

You cannot let someone have the money or property for less than its fair market value. "Fair market value" means the usual price for or value of something.

## What if I have received a *lot* of money recently?

You should talk to a lawyer. You might need to consider a Special Needs Trust or ABLE Account.

Read [Special Needs Trusts and ABLE Accounts](#) to learn more.

## The agency in charge of my benefits says I am over the resource limit. I disagree. What can I do?

You can fight the overpayment, ask the agency to cancel (waive) it, or do both.

Talk to a lawyer (see contact info at the end), and read these to learn more:

- [Fighting an overpayment of cash or medical assistance](#): If you are facing a Medicaid overpayment
- [Fighting an SSI or SSDI overpayment notice](#): For SSI overpayments
- [DSHS and HCA Overpayments: What is "Equitable Estoppel"?](#): To learn about a defense to a Medicaid overpayment

## What can I buy and still be eligible for SSI and/or Medicaid?

If you are **already** on SSI and/or Medicaid, you can get the items listed below as **gifts** and remain eligible.

If you currently have **too much money** to qualify for SSI or Medicaid, you can **spend some of it** on the items listed below.

## Eligible items

---



**A home** used as your primary residence (SSA may reduce your SSI income for the month you got the home).



**Home furnishings or appliances**



**Medical expenses or bills not covered by Medicaid or Medicare**



**Dental expenses, eyeglasses, physical therapy, etc.**



**Education expenses** (including computer, software, books, etc.)



**Entertainment or recreation expenses**



**Vacation travel**



**Pay a lawyer to do estate planning and/or Medicaid planning**



**Pay off debts**



**Pre-pay burial arrangements**



**Personal hygiene** (haircuts, manicures)



**An automobile used as your primary transportation, pay for registration and insurance**



**Clothing**



**Set aside up to \$2,000 for a single person, or up to \$3,000 for a married couple, in non-exempt resources** (Examples: Savings, checking, etc.)

## Get Legal Help

- **Apply online** with [CLEAR\\*Online](https://www.nwjustice.org/apply-online) - [nwjustice.org/apply-online](https://www.nwjustice.org/apply-online)
- **Facing a legal issue in King County** (other than Eviction or Foreclosure)? Call 2-1-1 (or toll-free 1-877-211-9274) weekdays 8:00 am - 6:00 pm. They will refer you to a legal aid provider.
- **Facing a legal issue outside of King County** (other than Eviction or Foreclosure)? Call the CLEAR Hotline at 1-888-201-1014 weekdays between 9:15 am - 12:15 pm or apply online at [nwjustice.org/apply-online](https://www.nwjustice.org/apply-online).
- **Facing Eviction?** Call 1-855-657-8387.
- **Facing Foreclosure?** Call 1-800-606-4819.
- **Seniors (age 60 and over)** with a legal issue outside of King County can also call CLEAR\*Sr at 1-888-387-7111.
- **Deaf, hard of hearing or speech impaired callers** can call any of these numbers using the relay service of your choice.

CLEAR and 2-1-1 will provide interpreters.

---

This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice.

© 2022 Northwest Justice Project — 1-888-201-1014.

(Permission for copying and distribution granted the Alliance for Equal Justice and to individuals for non-commercial purposes only.)