



**In the Missouri Court of Appeals  
Eastern District  
DIVISION THREE**

JOAN DAMBACH as substituted party for	)	No. ED92942
ALICE BARONE,	)	
	)	Appeal from the Circuit Court
Appellant,	)	of Cape Girardeau County
	)	08GC-CC00235
vs.	)	
	)	
DEPARTMENT OF SOCIAL SERVICES,	)	Honorable William L. Syler
FAMILY SUPPORT DIVISION,	)	
	)	
Respondent.	)	Filed: June 8, 2010

**OPINION SUMMARY**

Joan Dambach ("Daughter"), as substituted party for Alice Barone ("Claimant"), appeals the decision of the Missouri Department of Social Services, Family Support Division (the "Division"), as affirmed by the circuit court, to reject Claimant's application for Medical Assistance Vendor ("Medicaid") benefits.

REVERSED AND REMANDED.

Division Three holds:

Claimant established that she intended to dispose of her assets for fair and valuable consideration, and therefore the circuit court erred in affirming the Division's decision to reject Claimant's application for Medicaid benefits. Accordingly, we reverse and remand to the Division with instructions to enter a decision granting Claimant's application for benefits.

Opinion by: Glenn A. Norton, P.J. Mary K. Hoff and Lawrence E. Mooney, concur

Attorney for Appellant: A. Melissa Riddle

Attorneys for Respondent: Chris Koster, Attorney General &  
Gregory S. Young, Assistant Attorney General

**THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.**