

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 3615
Version: As introduced

DATE: March 28, 2016

Authors: Rarick and others

Subject: Medical assistance estate recovery

Analyst: Lynn Aves

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd/.

Overview

With the expansion of medical assistance, more adults 55 to 65 years of age have become subject to federal laws requiring states to make claims against the estates of these individuals for the amount of medical assistance correctly paid on their behalf. Minnesota Statutes, section 256B.15 requires the state to make recovery from the estates of certain individuals. This bill prohibits the commissioner from making recovery from the estates of these individuals, and if recoveries have been made, to fully reimburse the decedent's estate.

Section

- 1** **Estates subject to claims.** Amends § 256B.15 subd. 1a. Limits estate recovery claims to the amount of medical assistance paid on behalf of a person who resided in a medical institution or who received GAMC. Strikes recovery from the estate of a person over 55 years of age who did not receive institutional services.

Provides that this section is effective retroactive from January 1, 2014.

- 2** **Full or partial release of notice.** Amends § 256B.15, subd. 1e. Adds paragraph (c) which requires the commissioner to fully release each notice of potential claim and lien for each adult without children who is age 55 to 64 who receives medical assistance for non-institutional services.

Provides that this section is effective retroactive from January 1, 2014.

Section

3 **Limitations on claims.** Amends § 256B.15, subd. 2. Limits estate recovery claims to the amount of medical assistance paid on behalf of a person who resided in a medical institution or who received GAMC.

Provides that this section is effective retroactive from January 1, 2014.

4 **Reimbursement required.** Amends § 256B.15, by adding subd. 2c. Requires the commissioner to fully reimburse the estate of the medical assistance recipient who was an adult without children, age 55 to 64, and did not receive institutional services.

Provides that this section is effective retroactive from January 1, 2014.