

HOUSE RESEARCH

Bill Summary

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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 Statute, section 256B.15 requires the state to make recovery from the estates of certain individuals. This bill limits claims to the estates of those individuals age 55 or older who received nursing home, home and community-based services, and related hospital and prescription drug benefits. It requires federal approval prior to implementation of sections 1 and 2.

Section

1 **Estates subject to claims.** Amends § 256B.15, subd. 1a. Limits claims against the estate of a person over 55 years of age who did not receive institutional services to the amount of medical assistance correctly paid on behalf of the individual prior to January 1, 2014. Clarifies that claims against the estates of individuals age 55 or older who received nursing facility services, home and community-based services, or related hospital and prescription drug benefits on or after January 1, 2014, are allowed.

Provides that this section is effective upon federal approval and applies to services rendered on or after January 1, 2014.

2 **Limitations on claims.** Amends § 256B.15, subd. 2. Paragraph (a) adds language to clarify that this paragraph applies to services rendered prior to January 1, 2014.

Section

Paragraph (b) provides that claims for services rendered on or after January 1, 2014, must only include nursing facility services, home and community-based services, or related hospital and prescription drug benefits provided for individuals age 55 or older. States that claims must not include interest.

Provides that this section is effective upon federal approval and applies to services rendered on or after January 1, 2014.

3

Amending notices or liens arising out of notice. Instructs state agencies to amend notices of potential claims and liens for notices filed on or after January 1, 2014, for medical assistance services provided to individuals age 55 and older who were not institutionalized.

Provides that this section is effective the day following final enactment.