

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 971

H. P. 690

House of Representatives, February 21, 1967

Referred to Committee on Health and Institutional Services. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Binnette of Old Town.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Relating to Claims Against Estates of Deceased Recipients of Aid to the Aged, Blind and Disabled.

Be it enacted by the People of the State of Maine, as follows:

R. S., T. 22, § 3453, amended. The first sentence of section 3453 of Title 22 of the Revised Statutes, as amended by section 38 of chapter 513 of the public laws of 1965, is further amended to read as follows:

Upon the death of a person who is receiving aid to the aged, blind or disabled or who has received such aid at any time during his lifetime, the State shall have a claim against his estate, allowable in probate court and enforceable in accordance with Title 18, for all ~~amounts~~ **money payments** paid under chapters 951 to 957.

STATEMENT OF FACTS

The Federal Government approved the state's Title XIX Medical Assistance Plan with the understanding that, pending clarification in Maine's statutes, no recoveries would be sought nor any claim made against a recipient's estate, with some minor exceptions, for medical assistance correctly paid on behalf of such individual. The department now operates under regulatory authority to comply with the Federal Act and requires an explicit provision in the statute to conform to Title XIX of the Social Security Act.