

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 273

H.P. 207

House of Representatives, January 18, 2007

An Act To Help Save the Homes of Some Persons Who Enter Nursing Facilities

Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative TUTTLE of Sanford.
Cosponsored by Senator MARRACHÉ of Kennebec and
Representatives: CAMPBELL of Newfield, PERRY of Calais, WALCOTT of Lewiston.

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

2 **Sec. 1. 22 MRSA §14, sub-§2-I, ¶H is enacted to read:**

3 H. A claim against real estate that is or was the primary residence of the MaineCare
4 recipient and that is owned by the recipient may not be made under this subsection
5 until the recipient or the guardian of the recipient has stated in writing that the
6 recipient has no intention of returning to live in the residence.

7 **SUMMARY**

8 This bill will assist a MaineCare recipient entering a nursing facility to save the
9 recipient's residence by prohibiting estate recovery action against the residence until the
10 recipient has stated in writing that the recipient has no intention of returning to live in the
11 residence.