

MAINE STATE LEGISLATURE

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Date: 5/25/07

L.D. 970
(Filing No. H- 325)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 730, L.D. 970, Bill, "An Act To Eliminate the Estate Recovery Delayed Claims Exemption"

Amend the bill by striking out the title and substituting the following:

'An Act to Repeal Delayed Estate Recovery'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 22 MRSA §14, sub-§2-I, ¶C-1, as enacted by PL 2005, c. 12, Pt. DDD, §9 and affected by §17, is repealed.'

SUMMARY

This amendment changes the title of the bill and eliminates delayed estate recovery of MaineCare benefits.

**FISCAL NOTE REQUIRED
(See attached)**

COMMITTEE AMENDMENT



123rd MAINE LEGISLATURE

LD 970

LR 1061(02)

An Act To Eliminate the Estate Recovery Delayed Claims Exemption

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

Potential current biennium cost increase - General Fund

Fiscal Detail and Notes

The bill eliminates the provisions of MaineCare estate recovery law that allow the State to recover MaineCare expenses from deceased MaineCare recipients whose estates have passed to their spouse or disabled child upon the death of that spouse or child. While such recoveries have yet to begin because the federal Centers for Medicare and Medicaid Services (CMS) has informed the Department of Health and Human Services that exemption provisions in the state's estate recovery law violate the federal Deficit Reduction Act of 2005, repealing the state's ability to pursue these "delayed estate recoveries" even after the provisions objectionable to the CMS are repealed, could result in costs to the MaineCare program in the form of reduced estate recoveries.