
A BILL FOR AN ACT

RELATING TO MEDICAL ASSISTANCE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 346-37, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) If a recipient under this chapter dies leaving an
4 estate and does not have a surviving spouse, child, father,
5 mother, grandfather, grandmother, grandchild, stepfather,
6 stepmother, or any designated heir, the department shall have a
7 valid claim against the estate for the amount of social services
8 overpayments, financial assistance overpayments, or burial
9 payments granted.

10 The department shall file a claim against the estate of a
11 deceased recipient of medical assistance for the amount of
12 medical assistance granted[7] only if [~~the recipient was age~~
13 ~~fifty five or over when such medical assistance was received and~~
14 ~~there is no surviving spouse, or surviving child who is under~~
15 ~~twenty one years of age, or blind, or disabled.~~ The department
16 shall file a claim against the estate of a recipient of medical
17 assistance who was]:



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1 (1) The amount of the claim is entirely for long-term care
2 services, including those services received as an
3 inpatient in a nursing facility, intermediate care
4 facility for individuals with intellectual
5 disabilities, or other medical institution [~~only if~~
6 ~~there~~]; and

7 (2) There is no surviving spouse or surviving child who is
8 under twenty-one years of age, or blind, or disabled."

9 SECTION 2. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 3. This Act shall take effect upon its approval.

12

INTRODUCED BY: *John M. Thayer* (BR)
JAN 17 2014



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Report Title:

Medical Assistance; Medicaid; Estate Recovery of Assets; Long-Term Care Costs

Description:

Limits DHS claims for the recovery of medical assistance payments from the estates of deceased recipients to payments made for long-term care services.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

