

April 12, 2007

**H 1443. AMEND MEDICAID ESTATE RECOVERY PLAN.** Filed 4/12/07. *TO AMEND THE MEDICAID ESTATE RECOVERY PLAN.*

Amends GS 108A-70.5(b) to modify the meaning of *medical assistance* as it applies to medical care services paid by the NC Medicaid Program on behalf of recipients meeting specified conditions.

Under current law, GS 108A-70.5(a) establishes the Medicaid Estate Recovery Plan in the Department of Health and Human Services (DHHS) allowing DHHS to recover from the estates of persons receiving medical assistance an equitable amount of state and federal shares of the costs paid on behalf of the recipient. Effective July 1, 2007, GS 108A-70.5(a) is amended by SL 2005-276, Section 10.21C(a), allowing DHHS to impose liens against real property, including the homes of recipients of medical assistance.

This act amends the version of GS 108A-70.5(b) that sunsets July 1, 2007, and the version that becomes effective July 1, 2007, to (1) remove receipt of personal care services from the list of medical care services encompassing *medical assistance* for persons 55 years of age or older, and (2) to specify that medical care services includes home- and community-based *waiver* services. This act additionally amends GS 108A-70.5(b) effective July 1, 2007, to remove the following from the list of medical care services received by persons 55 years of age or older that encompass *medical assistance*: (1) Medicare premiums, (2) private duty nursing, (3) home health aide services, (4) home health therapy, and (5) speech pathology services.

**Intro. by Clary.**

GS 108A

July 25, 2007

**H 1443. AMEND MEDICAID ESTATE RECOVERY PLAN.** Filed 4/12/07. House committee substitute makes the following changes to 1st edition. Changes from July 1, 2007, to July 1, 2008, the effective date for proposed amendments to GS 108A-70.5(b) that would remove the following from the list of medical care services received by persons 55 years of age or older that encompass *medical assistance*: (1) Medicare premiums, (2) private duty nursing, (3) home health aide services, (4) home health therapy, and (5) speech pathology services.

July 26, 2007

**H 1443. AMEND MEDICAID ESTATE RECOVERY PLAN.** Filed 4/12/07. House amendment makes the following changes to 2nd edition. Provides for transition between versions of GS 108A-70.5(b) by sunsetting the proposed amendments to the first version when the same amendments to the second edition become effective.