



COMBINED MEDICAID 304-4 NONFINANCIAL REQUIREMENTS Lien and Estate Recovery

	CMA 304-4
Supersedes:	FMA 307-4 (01/01/08); MA 1401-1 (04/01/11); FMA 307-5 (07/01/05); MA 1402-1 (01/01/08)
References:	MCA 53-6-165 through -169, 171, 175; ARM 37.82.101, .431 and .438; P.L. 110-275
Overview:	<p>The Medicaid Lien and Estate Recovery Program is the mechanism used to recover the cost of medical services.</p> <p>The Medicaid Lien & Estate Recovery Program brochure must be given to every Medicaid applicant, including those applying for QMB, SLMB, QI and coverage related to the receipt of SSI cash benefits.</p>
LIEN	<p>Liens may be placed against real property owned by Medicaid clients who reside in a nursing home, intermediate care facility for the mentally retarded or institution for mental disease and who are not expected to return home.</p> <p>All institutionalized applicants and recipients must complete and sign Form HCS-121, "Real Property Liens for Nursing Home Residents" as a condition of eligibility.</p>
ESTATE RECOVERY	<p>Collection is only pursued for medical expenses Medicaid paid while the individual was:</p> <ol style="list-style-type: none">1. a resident of:<ol style="list-style-type: none">a. a nursing home or other institution;b. an intermediate care facility for the mentally retarded;c. an institution for mental disease; or2. age 55 or older (determined from the actual date the person attains age 55). <p>All institutionalized applicants and recipients must read and sign an HCS-120, "Estate Recovery for Nursing Home Residents" as a condition of eligibility.</p> <p>All Medicaid applicants and recipients age 55 and older must be provided with a copy of HCS-122, "Estate Recovery for Individuals 55 and older" although signing and returning the form is not a condition of eligibility. A signed HCS-120 on file meets this requirement.</p>
LIEN and ESTATE RECOVERY UNIT	<p>Direct all questions related to Medicaid liens or estate recovery to the Lien and Estate Recovery Program at:</p> <p style="text-align: center;">DPHHS Lien and Estate Recovery Program PO Box 202953 Helena, MT 59620-2953 Phone: 1-800-694-3084 Fax: 1-800-444-1829</p>
EFFECTIVE DATE:	July 1, 2016