



Date
Name
Street
Street 2
City, State, Zip

Re: Notice of the Georgia Medicaid Estate Recovery Program Implementation Date Change

Dear Medicaid Member:

The Georgia Department of Community Health recently mailed a notice to certain Medicaid members informing them that starting on May 1, 2006, we will implement a new Medicaid Estate Recovery Program. This letter will serve as a notice that, pending final Board approval, the May 1, 2006, date will change to **May 3, 2006**. Federal law which passed in 1993 requires all states to recover Medicaid monies paid for your medical care from your estate. Please review the following information carefully and **contact the Medicaid Estate Recovery Office at 770-916-0328 if you have any questions regarding this matter.**

Estate Recovery applies to:

- Medicaid members who, at any age, are an inpatient in a long term care facility, such as a nursing facility, an intermediate care facility for the mentally retarded, or other medical institutions that have their medical care paid by Medicaid; and
- Medicaid members who are 55 years of age or older and who receive nursing home services or home and community based services or are enrolled in and receive services through a waiver program

Important Estate Recovery Facts:

- Estate includes all real and personal property (i.e. homes, real estate, vehicles, cash and financial instruments) held individually or jointly with a spouse or other individuals. This also includes property held with a life estate interest.
- If you have been a resident of an inpatient facility for at least six (6) consecutive months, the state may place a lien on your home if there is no reasonable expectation that you will return home. Certain exemptions apply that prevent the filing of a lien. You will be provided with a notice prior to the placement of any liens and shall have the opportunity to show that you are not permanently institutionalized or that you meet an exception that prohibits the placement of the lien.

The state will not seek recovery if the total value of your estate is valued at less than \$25,000.

- Recovery may be delayed if a member has a surviving spouse, children under 21, or children who are blind or permanently and totally disabled.
- There are circumstances which may constitute a hardship where the state would waive or delay recovery. The hardships include circumstances wherein the asset to be recovered is an income producing farm of one or more of the heirs and the annual gross income is limited to \$25,000 or less. Additionally, a hardship may exist if recovery of assets would result in the applicant becoming eligible for governmental assistance based on need and/or medical assistance programs.
- In accordance with Governor Sonny Perdue's mandate and upon final Board approval of the Department's rules changing the May 3, 2006, recovery date, the state will only seek recovery of Medicaid monies that were paid for your medical care on and after **May 3, 2006, rather than the previously proposed date of August 1, 2001**, even if you were receiving Medicaid prior to this date.

For more information, please visit our website at www.dch.georgia.gov or call the Medicaid Estate Recovery Office at 770 916-0328.

Sincerely,
GA Department of Community Health



GEORGIA DEPARTMENT OF
COMMUNITY HEALTH

Rhonda M. Medows, MD, Commissioner

Sonny Perdue, Governor

Medicaid Estate Recovery Unit
6300 Powers Ferry Rd.
Suite 600-288
Atlanta, GA 30339
Tel: 770-916-0328 Fax: 678-569-0066
