

One Hundred Fifth Legislature - First Session - 2017

Introducer's Statement of Intent

LB542

Chairperson: Senator Laura Ebke

Committee: Judiciary

Date of Hearing: February 01, 2017

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Federal law requires state Medicaid programs to recover certain Medicaid benefits paid on behalf of a member. While states are required to seek recovery of payments from the individual's estate for nursing facility services, home and community-based services, and related hospital and prescription drug services, they have broad authority to determine what assets they seek payment from and whether they wish to recover payments for other Medicaid services. This bill will permit Medicaid estate recovery to incorporate additional assets that the state is not currently able to recover under state law but that states are able to recover under federal law. The current state statute limits the recovery efforts as well as what assets are recoverable. This legislation will increase the amount of assets returned to the state and it will improve the methods of pursuing the recovery.

Principal Introducer: _____

Senator John Kuehn