

## **When will Estate Recovery Start?**

When an aged institutionalized or permanently institutionalized individual who is receiving:

- NF services,
- ICF/IDD/DD services,
- HCB waiver services,
- SCL services
- ABI waiver services
- ABI long-term care waiver services
- Michelle P. waiver services

under the Medicaid Program is deceased, the Medicaid provider from which the recipient was receiving institutionalized services at the time of death shall be responsible for reporting the death to the [local Department for Community Based Services office](#) **within ten (10) days** of the **date of death**.

**Upon receipt of the notice of death, the department shall prepare and serve written notice of its intent to recover upon the estate representative to:**

- The estate representative shall be responsible for notifying individuals who are affected by the proposed recovery.
- If no estate representative exists, notice shall be provided to the family members or heirs if the recipient has provided the department with this information through the eligibility application process.

**The notice of intent to recover shall include:**

- The action the department intends to initiate
- The reason for the action Exemptions and limitations to estate recovery
- Conditions that are considered an undue hardship exemption
- Procedures for applying for an undue hardship exemption
- The total amount subject to recovery
- The procedure for appealing a denial of an undue hardship exemption request