

## WHERE CAN I GET MORE INFORMATION?

For more detailed information about Estate Recovery, please contact:

HMS, Inc.  
Estate Recovery Unit  
1-877-791-0435

Or visit the website at:  
[www.michigan.gov/estaterecovery](http://www.michigan.gov/estaterecovery)

Or email questions to:  
[miestaterecovery@hms.com](mailto:miestaterecovery@hms.com)

***Please note that this brochure is only a summary of Michigan Estate Recovery and does not contain all relevant information.***

For questions and/or problems, or help to translate, call the Beneficiary Help Line at 1-800-642-3195 or TTY 1-866-501-5656.

Spanish: Si necesita ayuda para traducir o entender este texto, por favor llame al telefono, 1-800-642-3195 or TTY 1-866-501-5656

Arabic: TTY 1-866-501-5656

إذا كان لديكم أي سؤال، يرجى الإتصال بخط المساعدة على الرقم المجاني ١-٨٠٠-٦٤٢-٣١٩٥

Michigan Department  
of Community Health



Rick Snyder, Governor  
Olga Dazzo, Director

The Michigan Department of Community Health is an equal opportunity employer, services and programs provider.

# YOUR GUIDE TO ESTATE RECOVERY IN MICHIGAN



Michigan Department  
of Community Health



# WHAT IS ESTATE RECOVERY?

The Medicaid program pays for health care services for people who meet the income and asset rules. Medicaid is funded by both state and federal government. The federal government requires Medicaid to recover money that it paid for services from the estates of Medicaid beneficiaries who have died. This is called Estate Recovery.

Medicaid will only recover the amount Medicaid paid for a beneficiary. Medicaid will not recover more than was paid.

## WHAT IS AN ESTATE?

An estate includes all property and assets that pass through probate court. Examples are homes, cars, insurance money, and bank accounts.

## WHO IS SUBJECT TO ESTATE RECOVERY?

### Estate Recovery only applies to:

- Medicaid beneficiaries age 55 or older who received long-term care services after the effective date of the statute.

## ARE THERE EXCEPTIONS TO ESTATE RECOVERY?

**Yes, the state may decide not to recover money if it creates an “Undue Hardship” or if any of the following people lawfully live in the beneficiary’s home:**

- Beneficiary’s spouse;
- Beneficiary’s child who is under the age of 21, blind, or permanently disabled;
- Beneficiary’s sibling who has an equity interest in the home and was living in the home for at least 1 year immediately before the beneficiary’s death;
- A survivor who:
  - ◆ was living in the beneficiary’s home for at least 2 years immediately before the beneficiary went into a medical facility; *and*
  - ◆ provided care so the beneficiary could stay at home during that period.

*The state will not seek recovery of certain Medicare cost-sharing benefits.*

## WHAT IS AN UNDUE HARDSHIP?

### An undue hardship exists when:

- The estate is the sole source of income for the survivors, such as a family farm or business; *or*

- The estate is a home of modest value; *or*
- A survivor would become or remain eligible for Medicaid if recovery occurred.

## HOW DOES ESTATE RECOVERY WORK?

When a Medicaid beneficiary age 55 or older dies, the state sends an estate recovery notice to the estate representative or heirs. The estate recovery notice tells them:

- the state plans to file a claim;
- how much the state will claim;
- how to apply for an Undue Hardship Waiver.

## HOW DO I APPLY FOR AN UNDUE HARDSHIP WAIVER?

You need to fill out and send in an Undue Hardship Application. You can get an application:

- by calling 1-877-791-0435;
- by sending an email to [miestaterecovery@hms.com](mailto:miestaterecovery@hms.com).

You need to send the completed application to the address on the form no later than 60 days from the date of the estate recovery notice. You must also send copies of any documents the application tells you to send. The state will tell you if you qualify for a waiver.