

IMPORTANT NOTICE REGARDING THE MEDI-CAL ESTATE RECOVERY PROGRAM

After a Medi-Cal beneficiary passes away, the State may collect the cost of Medi-Cal services received ON or AFTER his/her 55th birthday from his/her estate.* This includes premium payments made to a managed care plan.

Estate is defined as any real or personal property owned by the Medi-Cal beneficiary, including any assets distributed through joint tenancy, tenancy in common, survivorship, life estate, and living trust. The Department of Health Care Services (Department) may also claim against a life insurance policy or retirement account that names the estate as the beneficiary or that goes back to the estate. Annuities purchased on or after September 1, 2004 may also be recovered. The Department will never collect more than either the value of the estate property owned by the Medi-Cal beneficiary or the amount of the medical services he/she received, whichever is less.

The Department is not allowed to pursue repayment if:

- The deceased Medi-Cal beneficiary was survived by a spouse or registered domestic partner. However, the Department can seek repayment upon the death of the spouse or registered domestic partner;
- A child under the age of 21 survives the Medi-Cal beneficiary; or,
- A child of any age who is blind or disabled (as defined by the federal Social Security Act) survives the Medi-Cal beneficiary.

When a Medi-Cal beneficiary dies, the person handling the estate **must give written notice of the death, within 90 days** of the date of death, to the Director of the Department. Notice must also be given to the Department when the surviving husband/wife dies. The notice and a copy of the death certificate must be mailed to: Department of Health Care Services, Recovery Branch, MS 4720, P.O. Box 997425, Sacramento, CA 95899-7425. **A phone call or written notice to any other governmental agency does not satisfy this requirement.**

For further information regarding the Estate Recovery program **only**, call (916) 650-0490 or seek legal advice. Estate Recovery staff will not provide legal advice. For additional information, you may also visit the Department's website at <http://www.dhcs.ca.gov/services/Pages/ThirdPartyLiability.aspx>.

*The State may collect from permanently institutionalized individuals of any age.

*** * * Please Share this Notice with Family Members * * ***