

IMPORTANT NOTICE REGARDING THE MEDI-CAL ESTATE RECOVERY PROGRAM FOR MEMBERS 55 YEARS OF AGE OR OLDER

After a Medi-Cal member passes away, the Department of Health Care Services (DHCS) may collect the cost of Medi-Cal services, including payments made to managed care plans, from his/her estate. If a deceased member owns nothing when they pass, nothing will be owed.

For Medi-Cal members who pass on or after January 1, 2017*, DHCS will only pursue repayment if the following apply:

- The Medi-Cal member received nursing facility services and/or home- and community-based services on or after his/her 55th birthday**; **and**
- The Medi-Cal member has real or personal property and/or other assets, as of their date of death, that will be part of their estate subject to probate

Additionally, DHCS will not pursue repayment if:

- There is a surviving spouse or surviving registered domestic partner
- There is a surviving child who is under 21 years of age
- There is a surviving child (of any age) who is blind or disabled, as defined by the federal Social Security Act

DHCS will never collect more than either the value of the Medi-Cal member's estate subject to probate or the amount paid by DHCS for medical assistance provided to the Medi-Cal member, whichever is less. Certain income and resources of American Indians and Alaska Natives are exempt from estate recovery.

When a Medi-Cal member passes, the person handling the estate **must give written notice of the death, within 90 days of the date of death**, to the Director of DHCS. 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 or submitted online at dhcs.ca.gov/ER. A phone call or written notice to any other governmental agency does not satisfy this requirement.

Medi-Cal members or their authorized representative may submit a Request for Medi-Cal Expenses Subject to Estate Recovery, form DHCS 4017, once per calendar year for a \$5 processing fee if the member is 55 years of age or older or a permanent inpatient of a nursing or long-term care facility. To access this request form, or for further information regarding estate recovery, you may visit the program's website at dhcs.ca.gov/ER or contact the program at (916) 650-0590.

* Different laws apply to Medi-Cal members who died prior to January 1, 2017. Please see dhcs.ca.gov/ER

** The State may collect from Medi-Cal members of any age who have been determined "permanently institutionalized." An individual is determined to be "permanently institutionalized" when they are an inpatient in a nursing facility, are not expected to return home, and have had the opportunity for a hearing regarding their "permanently institutionalized" status.

Please Share this Notice with Family Members