

Document: O.C.G.A. § 49-4-147.1

O.C.G.A. § 49-4-147.1**Copy Citation**

Current through the 2017 Regular Session of the General Assembly.

Official Code of Georgia Annotated TITLE 49. SOCIAL SERVICES CHAPTER 4. PUBLIC ASSISTANCE ARTICLE 7. MEDICAL ASSISTANCE GENERALLY

§ 49-4-147.1. Claims by department against estate of Medicaid recipients

(a) In accordance with applicable federal law and regulations, including those under Title XIX of the federal Social Security Act, the department may make claim against the estate of a Medicaid recipient for the amount of any medical assistance payments made on such person's behalf by the department. A claim shall be made against the estate of a deceased Medicaid recipient only if at the time of application for medical assistance the applicant received written notice that the medical assistance costs could be recovered from the applicant's estate and the applicant signed a written acknowledgment of receipt of such notice, the estate is otherwise subject to recovery, and if no hardship or other exemption exists. The commissioner shall waive such claim if he or she determines enforcement of the claim would result in substantial and unreasonable hardship to dependents of the individual against whose estate the claim exists.

(b) The estate recovery program established pursuant to this Code section shall not be effective any earlier than May 3, 2006. In no event shall the department make claims against the estate of a Medicaid recipient for the amount of any medical assistance payments made on such person's behalf prior to May 3, 2006.

(c) The commissioner shall delay execution of a claim against the estate where the dependents or heirs agree to pay the full amount of the claim in reasonable installments.

History

Ga. L. 1981, p. 917, § 1; Ga. L. 2006, p. 775, § 3/SB 572.

OFFICIAL CODE OF GEORGIA ANNOTATED

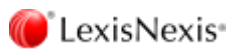
Copyright 2018 by The State of Georgia All rights reserved.

Content Type: Statutes and Legislation

Terms: 49-4-147.1

Narrow By: custom: custom Sources: Official Code of Georgia Annotated

Date and Time: Apr 16, 2018 12:33:52 p.m. EDT



[About
LexisNexis®](#)

[Privacy
Policy](#)

[Terms &
Conditions](#)

[Sign
Out](#)

Copyright © 2018
LexisNexis. All
rights reserved.

