

HB 543 INTRODUCED BY MILES
ALLOWING RECOVERY OF GENERAL RELIEF OR AID TO
FAMILIES WITH DEPENDENT CHILDREN BENEFITS
FROM ESTATE OF RECIPIENT
BY REQUEST OF DEPARTMENT OF SOCIAL &
REHABILITATION SERVICES,

1/30 INTRODUCED
1/30 REFERRED TO HUMAN SERVICES & AGING
1/30 FISCAL NOTE REQUESTED
2/05 HEARING
2/05 FISCAL NOTE RECEIVED
2/09 COMMITTEE REPORT--BILL NOT PASSED
2/10 ADVERSE COMMITTEE REPORT ADOPTED

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House BILL NO. 573
Public

1 dependent as a home or residence unless other claimants or
2 persons shall have instituted proceedings for the probate of
3 the estate of the deceased recipient, in which case the
4 department shall file its claim hereunder.

5 (3) All sums recovered hereunder from any source shall
6 be distributed to the county and to the general fund of the
7 state of Montana as their interests may appear. If the
8 federal law so requires, the federal government shall be
9 entitled to a share of any amounts collected hereunder in
10 proportion to the amounts which it has contributed to the
11 grants recovered, and the amount due the United States shall
12 be promptly paid by the department to the United States
13 government."

14 Section 1. Section 53-2-611, MCA, is amended to read:
15 "53-2-611. Recovery from recipient's estate. (1) Upon
16 the death of any recipient of public assistance ~~other--than~~
17 ~~aid--to-dependent-children-or-general-relief~~, the department
18 shall execute and present a claim against the estate of such
19 person within the time specified in the published notice to
20 creditors in the estate matter for the total amount of
21 assistance paid under this title, separately stating therein
22 the amount of all assistance paid from and after July 1,
23 1953.

24 (2) The department shall not assert its claim during
25 the lifetime and continued occupancy of any real estate of a
deceased recipient's estate by the surviving spouse or

-End-

INTRODUCED BILL
HB 573





STATE OF MONTANA - FISCAL NOTE
Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB543, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to allow recovery of assistance paid by the Department of Social and Rehabilitation Services from the estate of an AFDC or general relief recipient; and amending section 53-2-611, MCA.

ASSUMPTIONS:


1. The Department of Social and Rehabilitation Services will be able to absorb any additional workload and costs associated with administering the proposed law.


FISCAL IMPACT:

It is not possible to estimate the fiscal impact of the proposed legislation. SRS can recover medicaid assistance costs from the estates of deceased medicaid recipients. However, the financial status of AFDC and general relief recipients is often very different from medicaid recipients so such collections cannot be used to estimate the impact of the proposed law. Although the proposed bill will allow SRS to recover some of the assistance costs of AFDC and general relief recipients from the estates of such deceased persons, the amounts will likely be only a small fraction of the amount collected in such medicaid cases which was about \$123,000 in FY86.

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

The amount of revenue that will be recovered for county expenditures for AFDC and general relief will be a portion of the total recovery. It is not possible to accurately estimate the amount.

 DATE 2/4/87
DAVID L. HUNTER, BUDGET DIRECTOR
Office of Budget and Program Planning

 DATE 2/5/87
JOAN MILES, PRIMARY SPONSOR
Fiscal Note for HB543, as introduced. **HB 543**

