

# **IMPORTANT *NOTICE***

## **YOUR ESTATE MAY BE SUBJECT TO MEDICAID RECOVERY**

### **Individuals under age 55**

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You (or your personal representative) requested that Medicaid help pay for the cost of care for a nursing facility. The services that may be subject to recovery are stated in the North Carolina General Statute § 108A-70.5. Federal and State law require Medicaid to file a claim against the estate of certain individuals to recover all Medicaid paid on their behalf for the time Medicaid paid a portion of their care for a nursing facility.

**Estate Recovery does not apply to everyone. A claim will be filed against the estate of a deceased individual who:**

- ▶ Applied or reapplied for Medicaid on or after **October 1, 1994.**
- AND
- ▶ Was **under age 55** and resided in a medical facility and was not reasonably expected to be discharged.

**There are some circumstances when Medicaid will not collect, or collection will be deferred against your estate. Medicaid will defer recovery when:**

- When the spouse of the Medicaid beneficiary is still living; or
- When the Medicaid beneficiary has a surviving child, who is under age 21 or
- When the Medicaid beneficiary has a surviving child of any age who is disabled or blind as provided in 42 U.S.C. § 1396p(b)(2)(A); or
- When a qualified undue hardship applicant continues to meet the undue hardship criteria

**Medicaid will waive recovery when:**

- ▶ The total assets in your estate are less than \$50,000, or the total amount Medicaid paid is less than \$10,000.

This notice is for informational purposes only. You will be notified in writing when a decision is made whether you are residing in a medical facility on a permanent or indefinite basis.

If you have questions about anything in this notice, contact your local Department of Social Services. Should you have further questions regarding Medicaid, you may call the NC Medicaid Contact Call Center, toll free at 1-888-245-0179 (English/Spanish) or 1-888-835-5322 (Note: this is a TTY number that is for deaf or hearing-impaired callers). The NC Medicaid Contact Call Center is open from 8:00 a.m. until 5:00 p.m., Monday - Friday. Additional information about services in your community is also found on the Department of Health and Human Services website at [www.ncdhhs.gov/assistance](http://www.ncdhhs.gov/assistance).