

Senate Bill 370

By: Senators Wilkinson of the 50th, Hufstetler of the 52nd, Kirk of the 13th, Jackson of the 2nd, Mullis of the 53rd and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated,  
2 relating to medical assistance generally, so as to provide that the commissioner of human  
3 services waives the first \$25,000.00 of any estate; to provide for the submission of an  
4 amendment to the state plan; to provide for contingent repeal; to provide for related matters;  
5 to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to  
9 medical assistance generally, is amended in Code Section 49-4-147.1, relating to claims by  
10 department against the estate of Medicaid recipients, by adding a new subsection to read as  
11 follows:

12 "(d) To prevent substantial and unreasonable hardship, the commissioner shall waive any  
13 claim against the first \$25,000.00 of any estate. No later than July 1, 2018, the department  
14 shall submit to the United States Department of Health and Human Services Centers for  
15 Medicare and Medicaid Services an amendment to the state plan reflecting the provisions  
16 of this subsection. In the event that such amendment to the state plan is not approved, this  
17 subsection shall stand repealed in its entirety."

18 **SECTION 2.**

19 All laws and parts of laws in conflict with this Act are repealed.