



Hundredth Legislature - First Session - 2007
Introducer's Statement of Intent
LB 102

Chairperson: Brad Ashford
Committee: Judiciary
Date of Hearing: January 26, 2007

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 102 provides that any personal representative, other than a special administrator, for all decedents who resided in a medical institution or are 55 years of age or older shall give written notice of his/her appointment within 14 days to the Department of Health and Human Services Finance and Support.

Currently, Medicaid is required to file a claim in the estate of any deceased Medicaid recipient if the deceased was 55 years or older or resided in a nursing home. It is the responsibility of the state to recover as much of the Medicaid costs as possible from available resources.

Specifically, under this bill, for all decedents 55 years of age or older or who resided in a medical institution, notification would be given to the department of the appointment of a personal representative when an estate enters probate. Currently, the department learns of estates by reviewing death or probate notices in the newspapers statewide. The notification required in this bill will ensure that the department is aware of these estates.

Principal Introducer: _____
Senator Philip Erdman