



February 10, 1999

SENATE BILL No. 91

DIGEST OF SB0091 (Updated February 9, 1999 9:46 am - DI 88)

Citations Affected: IC 12-15.

Synopsis: Medicaid eligibility. Provides that an irrevocable trust, an irrevocable prepaid funeral agreement, or a life insurance policy that provides money for the burial of an individual may not be considered as a resource in determining the individual's eligibility for Medicaid if the value of the irrevocable trust, irrevocable prepaid funeral arrangement, or life insurance policy does not exceed \$10,000. (Current law exempts these instruments from consideration as a resource in determining an individual's eligibility for Medicaid if the value of the instrument does not exceed \$1,400.)

Effective: July 1, 1999.

Riegsecker

January 6, 1999, read first time and referred to Committee on Health and Provider Services.
February 9, 1999, reported favorably — Do Pass.

SB 91—LS 6208/DI 88+



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February 10, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

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SENATE BILL No. 91

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 12-15-2-17 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 17. (a) Except as
3 provided in subsection (b), if an applicant for or a recipient of
4 Medicaid:
5 (1) establishes one (1) irrevocable trust that has a value of not
6 more than ~~one ten thousand four hundred~~ dollars ~~(\$1,400);~~
7 **(\$10,000)**, exclusive of interest, and is established for the sole
8 purpose of providing money for the burial of the applicant or
9 recipient;
10 (2) enters into an irrevocable prepaid funeral agreement having a
11 value of not more than ~~one ten thousand four hundred~~ dollars
12 ~~(\$1,400); (\$10,000);~~ or
13 (3) owns a life insurance policy with a face value of not more than
14 ~~one ten thousand four hundred~~ dollars ~~(\$1,400); (\$10,000)~~ and
15 with respect to which provision is made to pay not more than ~~one~~
16 **ten thousand four hundred** dollars ~~(\$1,400) (\$10,000)~~ toward the
17 applicant's or recipient's funeral expenses;

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1 the value of the trust, prepaid funeral agreement, or life insurance
2 policy may not be considered as a resource in determining the
3 applicant's or recipient's eligibility for Medicaid.
4 (b) If an applicant for or a recipient of Medicaid establishes an
5 irrevocable trust or escrow under IC 30-2-13, the entire value of the
6 trust or escrow may not be considered as a resource in determining the
7 applicant's or recipient's eligibility for Medicaid.
8 (c) If an applicant for or a recipient of Medicaid owns resources
9 described in subsection (a) and the total value of those resources is
10 more than ~~one ten thousand four hundred~~ dollars ~~(\$1,400)~~, **(\$10,000)**,
11 the value of those resources that is more than ~~one ten thousand four~~
12 ~~hundred~~ dollars ~~(\$1,400)~~ **(\$10,000)** may be considered as a resource in
13 determining the applicant's or recipient's eligibility for Medicaid.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 91, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 91 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 8, Nays 0.

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