

Adopted	Rejected
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# COMMITTEE REPORT

<b>YES:</b>	<b>17</b>
<b>NO:</b>	<b>0</b>

## MR. SPEAKER:

*Your Committee on Ways and Means, to which was referred House Bill 1258, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, delete line 15.
- 2 Page 2, delete lines 1 through 14.
- 3 Page 3, delete lines 1 through 27, begin a new paragraph and insert:
- 4 "SECTION 5. IC 12-15-9-1, AS AMENDED BY P.L.246-2005,
- 5 SECTION 108, IS AMENDED TO READ AS FOLLOWS
- 6 [EFFECTIVE JULY 1, 2012]: Sec. 1. ~~(a) Subject to subsection (b);~~
- 7 Upon the death of a Medicaid recipient, ~~or upon the death of a deceased~~
- 8 ~~Medicaid recipient's spouse;~~ the total amount of Medicaid paid on
- 9 behalf of the recipient after the recipient became fifty-five (55) years of
- 10 age must be allowed as a preferred claim against the estate of the
- 11 recipient ~~or the recipient's spouse~~ in favor of the state. The affidavit of
- 12 a person designated by the secretary to administer this section is
- 13 evidence of the amount of the claim and is payable after the payment
- 14 of the following in accordance with IC 29-1-14-9:
- 15 (1) Funeral expenses for the recipient and the recipient's spouse,

1 not to exceed in each individual case three hundred fifty dollars  
2 (\$350).

3 (2) The expenses of the last illness of the recipient ~~and the~~  
4 ~~recipient's spouse~~ that are authorized or paid by the office.

5 (3) The expenses of administering the estate, including the  
6 attorney's fees approved by the court.

7 ~~(b) If a recipient's spouse remarries, the part of the estate of the~~  
8 ~~recipient's spouse that is attributable to the subsequent spouse is not~~  
9 ~~subject to a claim for Medicaid paid on behalf of the recipient."~~

10 Page 8, line 37, reset in roman "However, in any estate in which".

11 Page 8, reset in roman lines 38 through 42.

12 Page 9, reset in roman lines 1 through 35.

13 Renumber all SECTIONS consecutively.

(Reference is to HB 1258 as printed January 23, 2012.)

**and when so amended that said bill do pass.**

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Representative Espich