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## State of Misconsin 2001 - 2002 LEGISLATURE

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## ASSEMBLY AMENDMENT 83, TO ASSEMBLY SUBSTITUTE AMENDMENT 1, TO 2001 SENATE BILL 55

June 29, 2001 - Offered by Representatives Black and Turner.

At the locations indicated, amend the substitute amendment as follows:

- **1.** Page 208, line 6: increase the dollar amount for fiscal year 2001–02 by \$183,800 and increase the dollar amount for fiscal year 2002–03 by \$183,800 to increase funding for the purposes for which the appropriation is made.
  - **2.** Page 642, line 20: after that line insert:

"Section 1833k. 49.496 (3) (a) (intro.) of the statutes is amended to read:

49.496 (3) (a) (intro.) Except as provided in par. (b), the The department may not recover from the estate of a recipient any amount of medical assistance paid on behalf of the recipient, except that the department shall file a claim against the estate of a recipient for all of the following unless already recovered by the department under this section:

**SECTION 1834g.** 49.496 (3) (a) 2. d. of the statutes is repealed.

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**Section 1834j.** 49.496 (3) (a) 3. of the statutes is created to read: 1 2 49.496 (3) (a) 3. Any medical assistance services that are required to be 3 recovered under 42 USC 1396p. 4 **SECTION 1834k.** 49.496 (3) (b) of the statutes is amended to read: 49.496 (3) (b) A Notwithstanding par. (a), a claim under par. (a) is not 5 6 allowable if the decedent has a surviving child who is under age 21 or disabled or a surviving spouse.". 7 **3.** Page 1399, line 20: after that line insert: 8 9 "(15x) Medical assistance estate recovery. The treatment of section 49.496 10 (3) (a) (intro.), 2. d., and 3. and (b) of the statutes first applies to claims for recovery 11 of medical assistance filed on the effective date of this subsection.".

(END)