



2021 SENATE BILL 726

November 30, 2021 - Introduced by Senators LARSON, JOHNSON, ROYS and CARPENTER, cosponsored by Representatives BROSTOFF, NEUBAUER, CABRERA, STUBBS, SPREITZER and SINICKI. Referred to Committee on Health.

1 **AN ACT to amend** 49.496 (1) (cm) and 49.849 (1) (d) of the statutes; **relating to:**
2 limitation of estate recovery for the cost of long-term Medical Assistance to only
3 a recipient's probate estate.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Health Services is required to seek repayment for the cost of certain long-term care services paid for on behalf of recipients of Medical Assistance. Recovery is currently made from the estates of decedent recipients, from the estates of their surviving spouses, and from certain other nonprobate property, subject to certain limitations. This bill limits the property that DHS may seek repayment from to only property in the recipient's probate estate that is required to be pursued under federal law. The Medical Assistance program is a joint state and federal program that provides health services to individuals who have limited financial resources.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 49.496 (1) (cm) of the statutes is amended to read:

