



# Arizona Medicaid Estate Recovery Program

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# Program Overview

- Federally required program
- Seeks to recover payments AHCCCS has made on behalf of members enrolled in the Arizona Long Term Care System (ALTCS)
  - Individuals are made aware that AHCCCS may collect the cost of care for services from their estate or real property during the enrollment process
- Files claims and liens on member estates and real property - up to the amount of ALTCS payments made
- Can delay/waiver collection if the member or heir has a reasonable statutory exemption or verified undue hardship

# Program Details

## Who is Impacted?

- Affects Medicaid recipients aged 55+
  - Will not be enforced so long as a spouse, child under 21, or a blind or permanently disabled child survives the member

## When May It be Implemented?

- When members are permanently institutionalized in a nursing home setting (90+ consecutive days)
- When a member passes away or upon the sale/transfer of an interest in the property

## What is Impacted?

- All real property, including the member's primary residence, that is in their name at the time of their death
- Property that is jointly owned without right of survivorship
- Property that is jointly owned with right of survivorship, but the joint owner is deceased

# Recent Years Recovery

| <b>State Fiscal Year<br/>(July - June)</b> | <b># of Opened Cases</b> | <b># of Recovered Cases</b> | <b>Amount Recovered</b> |
|--|--------------------------|-----------------------------|-------------------------|
| SFY 2020                                   | 430                      | 187                         | \$2,908,856.00          |
| SFY 2021                                   | 649                      | 246                         | \$3,782,771.00          |
| SFY 2022                                   | 492                      | 234                         | \$5,926,255.00          |

# Hardship Waivers

| State Fiscal Year<br>(July - June) | # of Hardship<br>Applications | # of Waivers Granted |
|------------------------------------|-------------------------------|----------------------|
| SFY 2020                           | 28                            | 21                   |
| SFY 2021                           | 23                            | 20                   |
| SFY 2022                           | 38                            | 34                   |

- A member's sibling who was living there for at least a year before the member was admitted to the facility and is partial owner of the property, or
- A child who was living in the home for at least two years before the member was admitted into a facility and who provided care which allowed the member avoid institutionalization

# Resources and Links

- Medical Assistance Eligibility Policy Manual, Chapter 1900:
  - [https://azahcccs.gov/Resources/guidesmanualspolicies/eligibilitypolicy/eligibilitypolicymanual/index.html?#t=Policy%2FChapter\\_1900\\_Estate\\_Recovery%2F1900\\_Introduction.htm](https://azahcccs.gov/Resources/guidesmanualspolicies/eligibilitypolicy/eligibilitypolicymanual/index.html?#t=Policy%2FChapter_1900_Estate_Recovery%2F1900_Introduction.htm)
- Medicaid Estate Recovery Program Overview:
  - [https://www.azahcccs.gov/Members/Downloads/Publications/DE-810\\_english.pdf](https://www.azahcccs.gov/Members/Downloads/Publications/DE-810_english.pdf)

# Questions?

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