

# OSS Advisory Newsletter

## MEDICAID ESTATE RECOVERY



### What is an estate?

An estate is all real and personal property and other assets of the deceased person (beneficiary) as defined in South Carolina Law.

### What is estate recovery?

The Omnibus Budget Reconciliation Act (OBRA) of 1993 required that states implement an estate recovery program. This means that the federal government mandated estate recovery for all states. South Carolina's law went into effect July 1, 1994 and requires that the Medicaid program be reimbursed from the beneficiary's estate for medical expenses paid for by Medicaid.

### Who is affected by estate recovery and what expenses must be reimbursed?

Two groups of people are affected by estate recovery. They are:

A person of any age who was a patient in a nursing facility, intermediate care facility for the mentally retarded, or other medical institution at the time of death, and who was required to pay most of their monthly income for the cost of care; or

A person who was 55 years of age or older when they received medical assistance consisting of nursing facility services, home and community-based services, and hospital and prescription drug services provided to individuals in nursing facilities or receiving home and community-based services.

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### CRCF/IPC COST REPORTS

All Residential Care Facilities will be required to complete their July 1, 2010 to June 30, 2011 RCF/IPC Cost Report electronically. Manual or paper cost reports will no longer be available or accepted. Please look for more details in the July 2011 OSS Advisory.

June 03, 2011

## OSS Advisory Newsletter



### NEW PROVIDER SERVICE CENTER

**TOLL-FREE 1-888-289-0709**

In January 2011, the South Carolina Department of Health and Human Services (SCDHHS) implemented a new Provider Service Center (PSC) for specific provider groups. Beginning February 14, 2011, SCDHHS opened the PSC to all South Carolina Medicaid providers. The PSC will offer all provider types the expanded opportunity for assistance with Medicaid questions.

PSC customer service representatives will offer assistance with forms and manual requests, claims inquiries, payment issues and general billing issues. PSC representatives will also assist with Questions regarding the Qualified Medicare Beneficiary Program and Managed Care Services.

Providers can contact the PSC via the toll-free number :  
**1-888-289-0709 / 07:30AM to 05:00PM Monday through Friday.**

In addition, the PSC will accept calls from all providers requiring assistance with the following:

- \* Provider Enrollment
- \* Electronic Data Interchange (EDI) support
- \* Filing claims via the Web Tool
- \* Nursing Home, OSS and Hospice room and board questions.

Your program representative will remain available to assist with complex issues and to clarify program policy.

Per SCDHHS  
Medicaid Bulletin  
dated April 7, 2011 -

Reimbursement for  
SC Medicaid  
providers will be  
reduced by 3%  
effective for dates of  
service beginning  
on April 8, 2011.

The IPC Daily Rate  
has been reduced 3%  
effective with dates  
of service beginning  
April 8, 2011.

The rate has changed  
from \$16.00 a day  
to \$15.52 a day.  
(IPC providers only)

June 03, 2011

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## MEDICAID ESTATE RECOVERY

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### How does estate recovery work?

If a person has an estate at death, the Medicaid program recovers any payments it made for medical services from the estate. Medicaid's claim will be similar to claims for funeral expenses, attorney's fees to administer the estate, and taxes. This claim will need to be satisfied in order to properly close the estate. The state isn't interested in taking ownership of any one's real property. Even though your home is not considered as a resource for Medicaid eligibility, it is an asset of your estate. It is the responsibility of the Personal Representative to determine how to repay Medicaid's claim from the assets of the estate.

For example: John Doe was in a nursing facility for the month of July. He died August 3. Medicaid paid \$2,000 for his care in July and August. His estate is worth \$50,000. Medicaid will recover \$2000 from his estate, after claims with higher priority (i.e., mortgage, funeral expenses, probate fees) are paid.

In another example: Jane Doe has been on Medicaid for years. Medicaid has spent \$25,000 on medical services she received since she was age 55. Her estate is worth \$20,000. The Medicaid program will recover from the remainder of the estate, after claim with higher priority are paid.

### Are there any exceptions?

Yes. Estate recovery may be waived in certain types of cases that involve an undue hardship. Undue hardship waiver requests may be submitted after the death of the beneficiary and will be given consideration if the conditions outlined in the provisions are met.

Questions concerning Medicaid Estate Recovery should be directed to the program manager at telephone number (803) 898-2932.

Post Office Box 8206  
Columbia, SC 29201-8206

803-898-2698  
803-255-8209 fax  
EMAIL : VARN@SCDHHS.GOV or  
OSS@SCDHHS.GOV

## Thinking about... What's So Great about the Summer!

Summer is officially here! There are many great (and healthy) ways to enjoy the summertime. Remember that while the summer offers many choices for fun in the sun, make sure to be cautious with physical activities during the heat of the day. Plan outdoor activities during the morning or evening when it is cooler. When outdoors, be sure to protect yourself and your residents from the sun with a wide-brimmed hat and sunscreen. Don't forget to have plenty of water available for drinking to stay hydrated. This month's issue presents a variety of activities to keep you cool and active as you begin your summer.

*Ice Cream Social*— Why not cool off from the heat with some ice cream? Consider having an ice cream social at your facility to celebrate the beginning of summer. After all, June is National Dairy Month and the sweet treat can provide around 10% of the recommended daily value of calcium. Maybe your residents and staff would enjoy making some old-fashioned homemade ice cream. This may bring back some fun childhood memories and also allows you to control the amount of fat and sugar that come with store bought brands. Adding fresh seasonal fruit like strawberries and peaches can also boost the nutrition of the cool treat. Make sure to include a variety of toppings like nuts, sauces and cherries. How about a banana split station? Whatever you decide to include at the ice cream social, don't forget the fun!



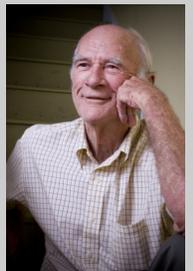
*Visiting a local farm or farmer's market*—For the tastiest fruit and vegetables of the summer season, consider visiting a local farm or farmer's market. You and some of your residents may enjoy an early morning outing and everyone can enjoy the array of fresh produce you can find there this time of year. Farmers are showing off their harvest of watermelon, cantaloupe, peaches and strawberries (which would go great with your home-made ice cream). Cucumber, beans, peas, squash, peppers, sweet corn, tomatoes and various leafy greens are also available at this time. Visiting a farmer's market can be great fun with other activities like music, food demonstrations, recipes, and interactions with the farmers and vendors.



*Time-Honored Tradition of Shelling Peas* – If you purchase peas at your local farm or farmer's market, consider the southern tradition of shelling them. Many southerners, including your residents, know that home-cooked meals often begin with plenty of hands pitching in for help. Shelling peas is one traditional chore that everyone involved can reap the fruits of their labors as they join together to eat a meal. If you've shelled peas before, you may have fond memories of sitting on your grandmother's porch with a bag of shell peas in your lap and a bowl on the floor to catch the peas. You may recall unzipping and splitting open the pods, running your thumb along the pods' spines, and releasing the tiny peas with a "plink" into the bowl. Residents may share in this memory and enjoy shelling peas together on the porch on a summer evening or in the dayroom if it's too warm outside. Should you or your residents have any irritation or sore thumbnails after a shelling session, a warm Epsom salt soak may help to relieve the soreness.



*Celebrating Father's Day with "Men's Choice"* –Make Father's Day special this year by hosting a "Men's Choice" week around June 19<sup>th</sup>. Go around to each of the men in your facility and ask them what their favorite kind of movie and favorite food is. Some men may love old black-and-white movies, while others may enjoy a good western or action flick. The week prior to Father's Day, select a movie a day from the different choices for the men to view. You can go all out by creating a theater theme, including movie tickets for the different showings and popcorn and drinks for the movie-goers' enjoyment. After the "Men's Choice" movie week, host a special "Men's Choice" dinner on Father's Day including their favorite foods. Remember to invite family and friends to the "Men's Choice" week of events to celebrate the lives and fatherly love of the men in your facility.



Here's to enjoying the first month of Summer! I hope you find this information helpful because I've really been **Thinking About It**.

*Your Happy Healthy Thinker*



**Thinking About It** is brought to you by:  
Office for the Study of Aging  
Arnold School of Public Health  
University of South Carolina