

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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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)

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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... Fun Activities for Everyone in Your Facility

April showers bring May flowers! And May brings various opportunities for you, your staff and residents to engage more socially and physically. With several holidays during this month, your facility can participate in many fun-filled activities. Research shows that social engagement is very important as we age. Social interaction between individuals, family, friends or the community, has a significant impact on overall health and well-being. Check your calendar and use this month's holidays to find ways to get your whole facility involved. Everyone can reap the health benefits! This month's issue presents some engaging activities that can be done around the various holidays.

May Day "Plant Day"— Many of your residents, staff, and maybe even you have celebrated May Day as a child. Did you know that many of the customs associated with the first day of May come from the old Roman festival of flowers? These include the gathering of flowers, choosing and crowning a May Day Queen, and dancing around a decorated pole. Although our activities may have changed over the years, May signifies the time to welcome summer and celebrate new beginnings. Your residents may enjoy planting a wide array of flowers at this time that result in summer blooms. Petunias, marigolds, begonias, African daisies, and lavender can create colorful flower gardens around your facility. Raised growing beds or raised planters can make gardening activities more accessible for your residents to enjoy. Gardening can become an ongoing, fun activity for the residents with beautiful results for all.



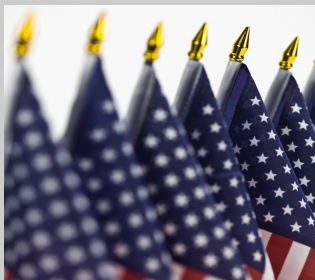
Cinco de Mayo – Join in the celebration of Mexican culture and customs on May 5th. This day commemorates the Battle of Puebla in which the Mexican army defeated a much better organized and equipped French army. Therefore, Cinco de Mayo is known as a joyous celebration of heritage, family, friends, and overcoming unbeatable odds. Keep this in mind as you plan activities for the day. You may want to have a fiesta with different Mexican dishes and traditional music. This is a great way to add variety and physical activity to the day. Traditional Mexican music is lively and fun to dance to.

Mother's Day Tea –Hosting a Mother/Daughter tea party can be an enjoyable social event that can provide special memories around the Mother's Day holiday on May 8th. The tea can take on a Victorian flare where "delicate" ladies (including residents, staff, daughters, granddaughters, and friends) gather to enjoy dainty desserts and a spot of tea. Resident activities prior to the tea could include decorating hats to be worn for the event and centerpieces for the tables, involving residents in making an array of finger foods and desserts, and creating and sending out invitations to family and friends. Remember to make the day special by celebrating the lives and motherly love of the ladies in your facility.



Armed Forces Day – Observed on the 3rd Saturday in May, Armed Forces Day honors men and women serving in the five US military branches. This day is celebrated with many events and activities like parades, air shows, and military displays open to the public. Your residents, particularly veterans of the Armed Forces, may be interested in participating in some of the events. Also consider ways to celebrate the veterans in the facility on this day.

Memorial Day Picnic – Memorial Day is a time to remember the men and women who died in war to defend our country. It also unofficially marks the start of summer. There are several different events and activities to celebrate this patriotic holiday on May 30th. You may consider taking residents out to watch a local parade. Having a Memorial Day Picnic also provides a social event to get everyone together. Since flowers and American flags are the two most popular items to remember soldiers, residents can help create centerpieces including those symbolic items. Also consider activities like Memorial Day-themed crafts, puzzles or quizzes to engage your residents. The internet provides a variety of activities.



Here's to enjoying your May holidays! I hope you find this information helpful because I've really been *Thinking About It*.

Your Happy Healthy Thinker