IMPORTANT NOTICE REGARDING THE MEDI-CAL ESTATE RECOVERY PROGRAM FOR MEMBERS 55 YEARS OF AGE OR OLDER

After a Medi-Cal member passes away, the Department of Health Care Services (DHCS) may collect the cost of Medi-Cal services, including payments made to managed care plans, from his/her estate. If a deceased member owns nothing when they pass, nothing will be owed.

For Medi-Cal members who pass on or after January 1, 2017*, DHCS will only pursue repayment if the following apply:

- The Medi-Cal member received nursing facility services and/or home and community-based services on or after his/her 55th birthday** and
- The Medi-Cal member has real or personal property and/or other assets, as of their date of death, that will be part of their estate subject to probate

Additionally, DHCS will not pursue repayment if:

- There is a surviving spouse or surviving registered domestic partner
- There is a surviving child who is under 21 years of age
- There is a surviving child (of any age) who is blind or disabled, as defined by the federal Social Security Act

DHCS will never collect more than either the value of the Medi-Cal member’s estate subject to probate or the amount paid by DHCS for medical assistance provided to the Medi-Cal member, whichever is less. Certain income and resources of American Indians and Alaska Natives are exempt from estate recovery.

When a Medi-Cal member passes, the person handling the estate must give written notice of the death, within 90 days of the date of death, to the Director of DHCS. The notice and a copy of the death certificate must be mailed to: Department of Health Care Services, Recovery Branch, MS 4720, P.O. Box 997425, Sacramento, CA 95899-7425 or submitted online at dhcs.ca.gov/ER. A phone call or written notice to any other governmental agency does not satisfy this requirement.

Medi-Cal members or their authorized representative may submit a Request for Medi-Cal Expenses Subject to Estate Recovery, form DHCS 4017, once per calendar year for a $5 processing fee if the member is 55 years of age or older or a permanent inpatient of a nursing or long-term care facility. To access this request form, or for further information regarding estate recovery, you may visit the program’s website at dhcs.ca.gov/ER or contact the program at (916) 650-0590.

* Different laws apply to Medi-Cal members who died prior to January 1, 2017. Please see dhcs.ca.gov/ER

** The State may collect from Medi-Cal members of any age who have been determined "permanently institutionalized.” An individual is determined to be “permanently institutionalized” when they are an inpatient in a nursing facility, are not expected to return home, and have had the opportunity for a hearing regarding their “permanently institutionalized” status.

Please Share this Notice with Family Members

DHCS 9060 (Rev 01-17)