



Updated February 2023

Estate Recovery in Maine

Estate recovery now only affects Long-Term Care MaineCare members

If you have MaineCare and you are not in a nursing home, in assisted living, or receiving home care services, Estate Recovery does not apply to you. It also does not apply if you have the Medicare Savings Program.

In November 2021, Maine changed who estate recovery applies to. It now affects **only** Long-Term Care Services covered by MaineCare, such as nursing home care, assisted living, or home care services. Hospital and prescription drug services related to these long-term care services can also be recovered.

MaineCare recovers only the cost incurred for long-term care. If MaineCare spent \$20,000 for long-term care and the estate is worth \$150,000, MaineCare will only seek to recover \$20,000 from the estate.

MaineCare seeks recovery when the MaineCare Member has:

- Long-Term Care MaineCare **and** was age 55 or older
- no surviving spouse
- no children under age 21
- no disabled children of any age



Got Questions?
Call Legal Services for the Elderly at **1-800-750-5353**
or call our HelpLine at **1-800-965-7476**

Property that can be recovered includes:

- A house or land
- Automobiles of significant value
- Recreational vehicles (boats, campers, snowmobiles, All Terrain Vehicles (ATVs), motorhomes, etc.)
- Liquid assets such as bank accounts, stocks, bonds, and annuities

Waivers from Estate Recovery: Remember, Estate Recovery only applies to people over 55 who had MaineCare that paid for Long-Term Care when they died. Heirs can ask to make voluntary payments to MaineCare but in some cases a Care Giver or Hardship Waiver can be requested.

Care Giver Waiver: A waiver may be granted to heirs who provided care to the MaineCare member while living in the member's home for at least two years before the member was admitted into a long-term facility or died.

Hardship Waiver: Heirs can request a hardship waiver if estate recovery will create a hardship for them. The heir's combined income and assets must be below 180% of the federal poverty level and they must have lived with the MaineCare member in the members' home for a period of at least two years before the member's death.

For specific questions about your estate recovery case, call MaineCare directly at 1-800-977-6740 and request the Estate Recovery Unit.

Maine's Consumer Assistance Program
1-800-965-7476



Consumers for Affordable Health Care



www.maine cahc.org
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