# Minnesota Health Care Programs
## Timeline of Medical Assistance Estate Recovery

### Federal law

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| 1965 | • Congress creates Medicaid by passing the Social Security Amendments of 1965.  
• Medicaid permits states to establish estate recovery programs and recover on properly expended medical benefits. |
| 1982 | • Congress passes the Tax Equity and Fiscal Responsibility Act (TEFRA).  
• TEFRA allows states to file liens on property before an Medicaid recipient dies. |
| 1993 | • Congress passes the Omnibus Budget Reduction Act (OBRA).  
• OBRA requires all states to conduct estate recovery for properly paid benefits.  
• OBRA also reduces the age of deceased Medicaid recipients whose estates are subject to the recovery from age 65 or older to age 55 or older. |
| 2005 | • Congress passes the Deficit Reduction Act (DRA).  
• DRA adds an estate recovery requirement that states be named as the beneficiary on annuities. |
| 2011 | • Congress passes the Affordable Care Act (ACA).  
• ACA expands Medicaid by changing certain eligibility requirements and increasing the number of people eligible for the Medicaid program. |

### State law

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| 1967 | • Minnesota establishes its Medical Assistance (MA) estate recovery program by enacting Minnesota Statutes, section 256B.15.  
• Recovery is limited to all MA services provided to recipients at 65 years of age or older.  
• Recovery is allowed against the recipient's estate or the estate of the recipient's surviving spouse. |
| 1981 | • Counties are allowed to retain one-half of the nonfederal share of MA recoveries that are attributable to county effort. |
| 1990 | • Recovery is mandated for MA services provided to recipients of any age who resided in a medical institution for 6 months or longer without expectation of discharge. |
| 1993 | • Minnesota establishes its MA lien program by enacting Minnesota Statutes, sections 514.980–514.985.  
• DHS begins filing liens against the real property of permanently institutionalized MA recipients before death. |
| 1995 | • Minnesota establishes undue hardship procedures for waiver of MA estate recovery.  
• People entitled to notice of an MA estate claim are given the right to apply for the waiver. |
| 2009 | • Minnesota expands the definition of "estate" for MA estate recovery. |
| 2016-2017 | • Minnesota passes legislation that limits the number of MA services for which local agencies can recover costs in an estate claim.  
• Counties are allowed to recover the costs of long-term services and supports received at 55 years old or older for MA estate claims that were asserted but still pending on or after July 1, 2016, and all estate claims that are asserted on or after July 1, 2016. |