

Medicaid Estate Recovery Update

Attorney Keith Huffman recently lent his expertise to ElderLawAnswers, <http://www.elderlawanswers.com/>, an excellent online resource with:

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Indiana Ends Recovery From Second Spouse to Die of Benefits Paid to First Spouse

Indiana has amended its Medicaid statute to prevent estate recovery at the death of the second spouse for benefits paid to the first spouse to die.

Bluffton, Indiana, ElderLawAnswers member attorney [Keith Huffman](#), who informed us of the change, said it was one of the revisions to the probate rules proposed by the Indiana Probate Code Study Commission. Although the state did not have a judicial decision on the issue of whether federal law allowed estate recovery at the second death for benefits paid for the first to die, Indiana had a statute that required this. Huffman said there was no opposition to the change, which takes effect July 1, 2012.

For the changes made to original statute, [click here](#).