



HOUSE BILL No. 5829

September 21 1994, Introduced by Reps Nye Walberg McBryde LeTarte Martin Johnson, Stille, Hill, Oxender Pitoniak Dobronski Rocca Jersevic Gernaat and Rhead and referred to the Committee on Human Services and Children

A bill to amend Act No 280 of the Public Acts of 1939, entitled as amended

"The social welfare act,

as amended, being sections 400 1 to 400 119b of the Michigan Compiled Laws by adding section 110a

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Act No 280 of the Public Acts of 1939, as
2 amended, being sections 400 1 to 400 119b of the Michigan
3 Compiled Laws, is amended by adding section 110a to read as
4 follows

5 SEC 110A THE DEPARTMENT SHALL PROMULGATE RULES PURSUANT
6 TO THE ADMINISTRATIVE PROCEDURES ACT OF 1969, ACT NO 306 OF THE
7 PUBLIC ACTS OF 1969, BEING SECTIONS 24 201 TO 24 328 OF THE
8 MICHIGAN COMPILED LAWS TO IMPLEMENT THE ESTATE RECOVERY PROGRAM
9 REQUIRED BY SECTION 1917 OF THE SOCIAL SECURITY ACT, 42 U S C

1 1396p THE RULES SHALL INCLUDE AT A MINIMUM ALL OF THE
2 FOLLOWING

3 (A) PROCEDURES AND STANDARDS FOR WAIVING RECOVERY BASED ON
4 UNDUE HARDSHIP

5 (B) PROCEDURES FOR THE ATTACHMENT AND ENFORCEMENT OF LIENS

6 (C) STANDARDS FOR WAIVING RECOVERY BASED ON

7 COST-EFFECTIVENESS THESE STANDARDS SHALL INCLUDE THE DOLLAR
8 VALUE OF ESTATES AND OF MEDICAL BENEFITS RECEIVED BELOW WHICH
9 RECOVERY WILL NOT BE PURSUED

10 (D) PROCEDURES AND STANDARDS FOR WAIVING RECOVERY OF THE
11 FOLLOWING ASSETS

12 (i) A HOUSE WITH A VALUE OF \$100,000 00 OR LESS

13 (ii) AN AUTOMOBILE WITH A VALUE OF \$15 000 00 OR LESS

14 (iii) PERSONAL PROPERTY EXCLUDING AUTOMOBILES, WITH A VALUE
15 OF LESS THAN \$10 000 00