



# HOUSE BILL No. 4462

February 23, 1995, Introduced by Reps. Nye, Alley, Johnson, Dalman, Hammerstrom, Bodem, Bush, Law, Gilmer, DeLange, Kaza, Yokich, Oxender, Bobier and Middleton and referred to the Committee on Human Services.

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.