

HOUSE BILL No. 5651

May 22, 2012, Introduced by Reps. Lane, Haugh, Forlini and Liss and referred to the Committee on Families, Children, and Seniors.

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
(MCL 400.1 to 400.119b) by adding section 107b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 107B. (1) AN APPLICANT WHO IS A PATIENT OF A NURSING HOME
2 MAY APPLY FOR MEDICAL ASSISTANCE AND BECOME ELIGIBLE FOR NOT MORE
3 THAN 3 MONTHS PRECEDING THE APPLICATION DATE, IF BOTH OF THE
4 FOLLOWING APPLY:

5 (A) IN THE 3 MONTHS IMMEDIATELY PRECEDING THE APPLICATION
6 DATE, THE APPLICANT'S EXCESS ASSETS WERE NOT MORE THAN THE AMOUNT
7 ALLOWED TO BE SHELTERED IN AN IRREVOCABLE PREPAID FUNERAL CONTRACT.

8 (B) THE APPLICANT USES THE EXCESS ASSETS TO PURCHASE A FUNERAL
9 CONTRACT FOR THE APPLICANT, THE APPLICANT'S SPOUSE, OR BOTH THE
10 APPLICANT AND HIS OR HER SPOUSE.

11 (2) IF THE DEPARTMENT OR THE DEPARTMENT OF COMMUNITY HEALTH

1 REQUIRES A FEDERAL WAIVER OR AMENDMENT TO THE STATE PLAN TO
2 IMPLEMENT THE PROVISIONS OF THIS SECTION, THE DEPARTMENT OR THE
3 DEPARTMENT OF COMMUNITY HEALTH SHALL APPLY IMMEDIATELY UPON
4 ENACTMENT OF THIS SECTION FOR THAT FEDERAL WAIVER OR AMENDMENT TO
5 THE STATE PLAN.