



Report on Public Policy Position

Name of Section:

Elder Law & Disability Rights Section

Contact Person:

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Bill Number:

SB 374 (Switalski) Human services; medical services; estate recovery program for medicaid; implement. Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding secs. 112g, 112h, 112i & 112j. TIE BAR WITH: SB 0203'07, SB 0204'07

Date position was adopted:

3/28/07

Process used to take the ideological position:

Position adopted after an electronic discussion and vote.

Number of members in the decision-making body:

19

Number who voted in favor and opposed to the position:

14 Voted for position

0 Voted against position

0 Abstained from vote

5 Did not vote

Position:

Oppose

Explanation of the position, including any recommended amendments:

The Elder Law & Disability Rights Section has consistently opposed any version of estate recovery. The proponents of estate recovery laud the benefits of adding to the state's budget. However, research shows that most states that enforce estate recovery find that the program does not provide economic benefit. Further, given Michigan's presently depressed economy and real estate market, it is highly predictable that the adoption of estate recovery will result in the state owning a large inventory of blighted homes. Most importantly, we believe that such a law will be harmful to our state's most vulnerable citizens.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://legislature.mi.gov/doc.aspx?2007-SB-0374>