Medi-Cal Recovery Regulations SB 833

- **Single Medi-Cal Recipient Died After 1-1-17**
  - **No Recovery**
- **Married Medi-Cal Recipient(s) - First death is after 1-1-17**
  - **No Recovery**
- **Married Medi-Cal Recipient**
  - **Spouse Receiving Benefits died prior to 1-1-17, Surviving Spouse (who did not receive benefits) dies after 1-1-17**
    - Position 1
      Recovery tolled until surviving spouse dies, then after both spouses have passed, there is Recovery against the portion of the surviving spouses estate that came from the decedent spouse at his death. (old rules apply)
    - Position 2
      If the Surviving Spouse dies after 1-1-17, there is no Recovery against the estate.
  - **Spouse Receiving Benefits died prior to 1-1-17, Surviving Spouse (who received benefits) dies after 1-1-17**
    - Position 1
      Recovery tolled until surviving spouse dies, then after both spouses have passed, there is Recovery against the portion of the surviving spouses estate that came from the decedent spouse at his death. (old rules apply).

      Recovery will only be against the assets that came to the surviving spouse as a result of the first spouses death. There will not recovery against assets are only assets of the surviving spouse.
    - Position 2
      If the Surviving Spouse dies after 1-1-17, there is no recovery against the estate.