



HOUSE COMMITTEE ON APPROPRIATIONS

2009-10 Legislative Session

FISCAL NOTE

HOUSE BILL: 68

PRINTER'S NO: 50

PRIME SPONSOR: Pallone

Amended by A01420

FISCAL IMPACT SUMMARY	FY 2008/09	FY 2009/10
Expenditure Increase/(Decrease):		
General Fund	\$0	\$0

OVERVIEW:

House Bill 68 amends Title 20 (Decedents, Estates and Fiduciaries) to increase the amount of payments from deposit accounts and patient's care accounts to relatives of the decedent and funeral directors. Amendment A01420 provides that the increased amount would not be paid to relatives and funeral directors if the decedent was on Medical Assistance and subject to the Medical Assistance Estate Recovery program.

This act would take effect in 60 days.

ANALYSIS:

As amended by A01420, House Bill 68 would increase to \$15,000 (from the current \$3,500) the payment made by a financial institution from a deposit account to a family member or funeral director if the decedent was under age 55 or if the decedent was over age 55 and the financial institution receives a letter from the Department of Public Welfare (DPW) stating there is no Medical Assistance estate recovery claim. If the decedent was over age 55 and no letter is obtained from DPW (because there is an estate recovery claim), then up to \$3,500 shall be paid from the bank account to the licensed funeral director who performed the funeral and the balance in the account shall be forwarded to DPW on account of any estate recovery claim. In addition, this legislation provides that a nursing facility shall pay a funeral director up to \$3,500 from a decedent's Medical Assistance patient care account and shall pay the balance of the account to DPW on account of any estate recovery claim if the decedent was over age 55.

Enactment of House Bill 68, as amended, does not impact the amount of funds that DPW would be able to recover from the estates of deceased Medical Assistance recipients. Therefore, it would have no adverse impact on the Commonwealth expenditures.

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House Appropriations Committee, (D)

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General Note and Disclaimer: *This Fiscal Note was prepared pursuant to House Rule 19(a), and the elements considered and reported above are required by Section 5 of the rule. Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*