

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action: Do Pass
Vote: 8 - 0 - 2
Yeas: Cameron, Garrett, Krieger, Olson, Shields, Stiegler, Whisnant, Barker
Nays: 0
Exc.: Barton, Smith J.
Prepared By: Anna Braun, Counsel
Meeting Dates: 3/13, 5/11

WHAT THE MEASURE DOES: Allows the Director of the Department of Human Services (DHS) to appoint attorneys who can act as appointed personal representatives, or file a small estate affidavit for decedent who received public assistance or received institutional care. Clarifies that attorney does not represent the director of DHS when appointed.

ISSUES DISCUSSED:

- Agreement between DHS and Department of Veterans' Affairs

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: When a person who has received public assistance dies, it is sometimes possible to recover the cost of care or assistance from the person's estate. In the past, DHS has used private attorneys for this purpose, but the statutory authority has been questioned by the Department of Justice. SB 151 makes the authority explicit.