

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass
Vote: 6 - 0 - 1
Yeas: Boone, Esquivel, Huffman, Parrish, Witt, Matthews
Nays: 0
Exc.: Fagan
Prepared By: Elizabeth Edwards, Administrator
Meeting Dates: 3/5

WHAT THE MEASURE DOES: Allows Oregon Department of Veterans' Affairs (ODVA) to recuperate cost of conservatorship from estate of deceased client. Permits ODVA to retract waiver of claim for costs, if ODVA finds payment no longer results in hardship and does not deplete estate. Tolls claims against estate from date claim waived to date waiver retracted.

ISSUES DISCUSSED:

- Order of payment of expenses and claims
- ODVA recuperates expenses after child support arrearages and before Medicare claims

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The Oregon Department of Veterans' Affairs (ODVA) operates a Conservatorship Program for veterans who are deemed incompetent by either the U.S. Department of Veterans Affairs or the courts. Under current law, the ODVA may charge a fee of five percent on all income under its management plus reasonable compensation for unusual services to cover the cost of conservatorship. These costs may be waived for veterans without income; however there are veterans who may have significant holdings despite not having income. House Bill 2046 allows the ODVA to retract a waiver and recuperate conservatorship costs from an estate, provided payment would not deplete the estate nor pose a hardship.

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This summary has not been adopted or officially endorsed by action of the committee.
Committee Services Form – 2013 Regular Session