

**STAFF MEASURE SUMMARY**

**Senate Committee On Health Care**

**Fiscal:** Has minimal fiscal impact

**Revenue:** No Revenue Impact

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**Action Date:** 03/30/15

**Action:** Do Pass And Requesting Referral To Judiciary.

**Meeting Dates:** 03/30

**Vote:**

Yeas: 5 - Knopp, Kruse, Monnes Anderson, Shields, Steiner Hayward

**Prepared By:** Zena Rockowitz, Committee Administrator

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**WHAT THE MEASURE DOES:**

Exempts Oregon Health Authority and Department of Human Services from provisions relating to real property that is sold or acquired, mineral or geothermal resource rights or proceeds from rights that are held or acquired. Creates operative date of January 1, 2016. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Provisions of measure

**EFFECT OF COMMITTEE AMENDMENT:**

No amendment.

**BACKGROUND:**

Federal and state law require the Oregon Health Authority (OHA) and the Department of Human Services (DHS) to have Estate Recovery Programs for public programs such as Medicaid for long-term care recipients. DHS and OHA are required to seek reimbursement from the assets of the deceased individual, with certain exceptions, for some or all of the benefits the individual received. As part of the estate recovery process, DHS will acquire the title to residential real property, pursuant to the authority granted under ORS 410.075 and ORS 411.340. Due to the fact that the process to sell state-owned real property is time consuming and expensive, the Department of Veterans' Affairs and the Housing and Community Services Department have been granted exemptions from these requirements. The proposed bill grants OHA and DHS the same exemptions for the real property that the Estate Recovery Program acquires.