

MARYLAND MEDICAL ASSISTANCE PROGRAM

EXPLANATION OF LIEN

Date: _____

Re _____
Name Case Number

Dear _____,

This is to notify you that, based on the application filed on _____, the above named person owns home and other real property(ies) against which the Medical Assistance Program may place a lien. This is based on COMAR 10.09.24.15A2(2). The real property on which a lien may be placed is:

ADDRESS OR DESCRIPTION

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A lien is a claim on the property of a person as security for the payment of a just debt. Its purpose in the Medical Assistance Program is to recover Program expenditures paid on behalf of the person while he/she is residing in a Long Term Care Facility. A lien may be placed on the person's home and other real property:

- When the person must pay all but a minimal amount of his/her income for his/her medical care, including Long Term Care; and
- When the Program has determined, based on a Medical Review, that there is no reasonable expectation that the person will be discharged from the Long Term Care Facility and resume living in his/her home property.

When a lien is imposed on the person's home and other real property, the person retains ownership and control of the property to the extent of his/her ownership interest in the property. The lien is imposed on his/her ownership interest and will dissolve if and when the person is discharged from the Long Term Care Facility and resumes permanent residence in his/her property.

Please read the reverse side of this notice for additional information concerning liens.

Specific questions concerning the impact of a lien on the person's real property may be directed to The Medical Care Compliance Administration, Division of Medical Assistance Recoveries, P.O. Box 13045, Baltimore, Maryland 21203 or call:

Sincerely,

Case Manager

Department of Social Services

Telephone Number

Additional Information Concerning Liens

The Medical Review is completed by the Medical Assistance Program's Utilization Control Agent. The decision of the Utilization Control Agent is based on medical information provided by the person's attending physician and the Long Term Care Facility. You will receive notice of the medical review decision and you will be given the opportunity for a hearing if you do not agree with that decision.

Selling, giving away or otherwise disposing of the home for less than fair market value may cause a person to be ineligible for Medical Assistance.

No lien may be imposed on the person's home property when it is occupied by the person's spouse, or child under 21, or blind or disabled child of any age, or a brother or sister who has at least one immediately before the date of the person's admission to a Long Term Care Facility. A lien will only be imposed on the person's other real property if he owns home property subject to a lien.