

The person completing the Request for Release of Cost Claim is executing the request as the estate representative and TennCare is relying upon this representation when advising the value of TennCare's claims and/or executing a release or deferral of TennCare's claim. TennCare shall be held harmless of any action brought by heirs or other interested parties due to the payment of TennCare's claim by the person presenting themselves as the estate representative.

Notice:

CONFIDENTIAL INFORMATION REGARDING A TENNCARE RECIPIENT, DECEASED TENNCARE RECIPIENT AND/OR NON-TENNCARE DECEASED PERSON WILL NOT BE RELEASED WITHOUT PRIOR AUTHORIZATION FROM THE EXECUTOR/EXECUTRIX, ESTATE REPRESENTATIVE and/or LEGAL COUNSEL FOR THE ESTATE.

INSTRUCTIONS

1. PROVIDE ALL REQUESTED INFORMATION AND **SIGN** the TENNCARE ELIGIBILITY VERIFICATION/REQUEST FOR RELEASE FORM.

You must provide information about the deceased person and the deceased person's spouse even though the spouse may have pre-deceased the decedent and the executor or estate representative must sign the request..

2. PROVIDE ALL REQUESTED DOCUMENTATION **IF YOU ARE REQUESTING AN EXEMPTION** TO RECOVERY.

3. PROVIDE A COPY OF THE DECEDENT'S DEATH CERTIFICATE OR OTHER DOCUMENTATION AS INDICATED ON THE RELEASE.

4. PROVIDE AN ADDRESS FOR RETURN OF THE RELEASE FORM. THE RELEASE FORM WILL NOT BE FAXED.

5. THE FORM MAY BE RETURNED WITHOUT A COVER LETTER BUT YOU MUST PROVIDE A RETURN ADDRESS.

6. IF YOU HAVE QUESTIONS REGARDING THE COMPLETION OF THE REQUEST FOR RELEASE FORM PLEASE CALL (866) 389-8444.

INFORMATION YOU SHOULD BE AWARE OF

WHO IS SUBJECT TO RECOVERY?

ANY PERSON OVER 55 YEARS OF AGE FOR WHOM TENNCARE HAS PAID FOR NURSING FACILITY SERVICES OR CARE RECEIVED FROM HOME & COMMUNITY BASED SERVICES.

IF THE ESTATE IS **NOT BEING PROBATED**, YOU DO NOT HAVE TO PROVIDE THE PROBATE COURT INFORMATION BUT **YOU MUST OBTAIN A RELEASE** OF TENNCARE'S CLAIM PRIOR TO DISBURSEMENT OF FUNDS AND/OR ASSETS.

HOW MUCH WILL THE PERSON'S ESTATE HAVE TO PAY BACK TO TENNCARE?

THE ACTUAL VALUE OF ALL FUNDS EXPENDED BY TENNCARE FOR THE PERSON'S COST OF SERVICES IN A NURSING FACILITY AND/OR HOME & COMMUNITY BASED SERVICES.

WHAT ARE THE EXEMPTIONS?

IF THERE IS A SURVIVING SPOUSE, TENNCARE WILL NOT RECOVER FROM THE ESTATE UNTIL THE TIME OF THE SURVIVING SPOUSE'S DEATH IF:

1. THE SURVIVING SPOUSE REQUESTS AN EXEMPTION; **AND**
2. THE SURVIVING SPOUSE PROVIDES DOCUMENTATION OF PROOF OF MARRIAGE, .

IF THERE IS A MINOR CHILD UNDER THE AGE OF 18, TENNCARE WILL NOT RECOVER FROM THE ESTATE UNTIL THE MINOR CHILD REACHES THE AGE 18 IF:

1. THE CHILD OR THE CHILD'S REPRESENTATIVE REQUESTS AN EXEMPTION TO RECOVERY; **AND**
2. THE CHILD OR THE CHILD'S REPRESENTATIVE PROVIDES A COPY OF THE CHILD'S BIRTH CERTIFICATE AS PROOF OF RELATIONSHIP.

IF THERE IS A DISABLED CHILD WHO BECAME DISABLED PRIOR TO THE AGE OF 18, TENNCARE WILL NOT RECOVER FROM THE ESTATE UNTIL THE DEATH OF THE DISABLED CHILD IF:

1. THE DISABLED CHILD OR THE DISABLED CHILD'S REPRESENTATIVE REQUESTS AN EXEMPTION; **AND**
2. THE DISABLED CHILD OR THE DISABLED CHILD'S REPRESENTATIVE PROVIDES A COPY OF THE SOCIAL SECURITY DISABILITY DETERMINATION PROVING DISABILITY AND ONSET PRIOR TO THE AGE OF 18; **AND**
3. THE DISABLED CHILD OR THE DISABLED CHILD'S REPRESENTATIVE PROVIDES A COPY OF A BIRTH CERTIFICATE PROVING RELATIONSHIP.

WHAT HAPPENS WHEN THE SURVIVING SPOUSE, MINOR CHILD OR DISABLED CHILD DIES?

AT THE TIME OF THE DEATH OF THE SURVIVING SPOUSE, TENNCARE WILL RECOVER FROM THE ESTATE ASSETS THE VALUE OF ALL EXPENSES PAID UP TO THE TOTAL AMOUNT EXPENDED FOR CARE IN A NURSING FACILITY OR HOME & COMMUNITY BASED SERVICES.

HOW MAY I OBTAIN A RELEASE OF TENNCARE'S INTEREST IN AN ESTATE?

1. COMPLETE THE REQUEST FOR RELEASE FORM; **AND**
2. PROVIDE ALL DOCUMENTATION REQUESTED; **AND**
3. **IF THE ESTATE IS SUBJECT TO RECOVERY, YOU MUST PAY TENNCARE'S CLAIM TO OBTAIN A RELEASE.**