633B.214 Benefits from governmental programs or civil or military service.

1. In this section, *"benefits from governmental programs or civil or military service"* means any benefit, program, or assistance provided under a statute, rule, or regulation relating to but not limited to social security, Medicare, or Medicaid.

2. Unless the power of attorney otherwise provides, language in a power of attorney granting general authority with respect to benefits from governmental programs or civil or military service authorizes the agent to do all of the following:

a. Execute vouchers in the name of the principal for allowances and reimbursements payable by the United States, a foreign government, or a state or subdivision of a state to the principal, including but not limited to allowances and reimbursements for transportation of the individuals described in section 633B.213, subsection 1, paragraph *"a"*, and for shipment of the household effects of such individuals.

b. Take possession and order the removal and shipment of property of the principal from a post, warehouse, depot, dock, or other place of storage or safekeeping, either governmental or private, and execute and deliver a release, voucher, receipt, bill of lading, shipping ticket, certificate, or other instrument for that purpose.

c. Enroll in, apply for, select, reject, change, amend, or discontinue, on the principal's behalf, a benefit or program.

d. Prepare, file, and maintain a claim of the principal for a benefit or assistance, financial or otherwise, to which the principal may be entitled under a statute, rule, or regulation.

e. Initiate, participate in, submit to alternative dispute resolution, settle, oppose, or propose or accept a compromise with respect to litigation concerning any benefit or assistance the principal may be entitled to receive under a statute, rule, or regulation.

f. Receive the financial proceeds of a claim described in paragraph *"d"* and conserve, invest, disburse, or use for a lawful purpose anything so received.

g. Create and fund a medical assistance income trust as defined in section 633C.1 or a trust or device that meets the criteria of 42 U.S.C. §1396p(d)(4)(B)(i)-(ii) that is authorized under the applicable law of another jurisdiction in which the principal is a resident.

2014 Acts, ch 1078, §39; 2016 Acts, ch 1088, §7 – 9

Referred to in §633B.201, 633B.202, 633B.203

2016 amendment takes effect April 13, 2016, and applies retroactively to July 1, 2014; 2016 Acts, ch 1088, §8, 9