

441—31.8(229A) Cost of care. The facility will seek to recover the full cost or a portion of the cost of care from the patient or another responsible person. The cost of the patient's care will be determined for each fiscal year included in the length of stay using the average per diem cost multiplied by the total number of days of care.

31.8(1) *Social security benefits.* The facility will seek recovery from the patient when the patient receives a benefit pursuant to the Social Security Act as amended to August 1, 2026. In such case, the patient will be allowed to retain for personal use an amount equal to the personal allowance amount established by the Social Security Administration.

31.8(2) *Other income.* The facility will seek recovery from the patient when the patient has other income; a trust fund; individually owned real estate, stocks, or bonds; an individually owned savings account, checking account, or certificate of deposit; an individual retirement account; or proceeds from the disposal of real estate or other property.

31.8(3) *Other person legally liable.* The facility will seek recovery from a person who is legally liable for the support of the patient up to the amount of the person's legal liability. The facility will seek recovery from a person who is bound by contract to support the patient up to the amount of the contract. A person legally liable to support the patient does not include a political subdivision.

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