

Senate Study Bill 1034

Bill Text

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1 1 Section 1. Section [249F.3](#), subsection 1, unnumbered
1 2 paragraph 1, Code 1999, is amended to read as follows:
1 3 The department of human services may issue a notice
1 4 establishing and demanding payment of an accrued or accruing
1 5 debt due and owing to the department of human services as
1 6 provided in section 249F.2. The notice shall be sent by
1 7 restricted certified mail as defined in section 618.15, to the
1 8 transferee at the transferee's last known address. If service
1 9 of the notice is unable to be completed by restricted
1 10 certified mail, the notice shall be served upon the transferee
1 11 in accordance with the rules of civil procedure. The notice
1 12 shall include all of the following:
1 13 Sec. 2. Section [249F.4](#), subsection 2, Code 1999, is
1 14 amended to read as follows:
1 15 2. The certification shall include true copies of the
1 16 original notice, the return of service, if applicable, any
1 17 request for an informal conference, any subsequent notices,
1 18 the written request for hearing, and true copies of any
1 19 administrative orders previously entered.
1 20 EXPLANATION
1 21 This bill makes changes in the law relating to the notice
1 22 of debt provided to a transferee of assets when the transfer
1 23 of assets results in the creation of a debt to the state in
1 24 the amount of medical assistance provided to the transferor of
1 25 assets. The bill provides that notice to the transferee is to
1 26 be sent to the transferee by restricted certified mail. If
1 27 such service is not successful, notice may then be served in
1 28 accordance with the rules of civil procedure. (Currently, law
1 29 provides for notice in accordance with the rules of civil
1 30 procedure, only.) The bill also makes a conforming change to
1 31 reflect the change in service of notice.
1 32 LSB 1315DP 78
1 33 pf/gg/8