

## CHAPTER 171

## MEDICAL ASSISTANCE RECOVERY

H. F. 367

AN ACT relating to the recovery of moneys from the estate of a person who has received medical assistance.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section seven (7) of chapter two hundred twenty-three  
2 (223), Acts of the Sixty-second General Assembly is hereby repealed and  
3 the following enacted in lieu thereof:

4 "On the death of a person receiving or who has received assistance un-  
5 der this Act, and of the survivor of a married couple, either or both of  
6 whom were so assisted and during which time such recipient was sixty-  
7 five (65) years of age or older, the total amount paid as assistance to either  
8 shall be allowed as a claim of the sixth class against the estate of such  
9 decedent or the surviving spouse. Neither the homestead nor the proceeds  
10 therefrom of such decedent, or the survivor, shall be exempt from the pay-  
11 ment of such claim, any act or statute notwithstanding. An action may be  
12 brought in the name of the state to recover the same at any time within  
13 five (5) years after the death of the person receiving aid and after the  
14 death of the survivor of the married couple, either or both of whom have  
15 received assistance under the provisions of this Act. No such claim shall  
16 be allowed, however, until the death of the surviving spouse nor shall such  
17 claim be allowed if a child under twenty-one (21) years of age, or a child  
18 who is blind or is permanently and totally disabled, survives a surviving  
19 spouse or a recipient who has no surviving spouse. The right to a claim  
20 existing at the effective date of this Act against the estate of any person  
21 who had, prior to the effective date of this Act, received medical assistance  
22 pursuant to chapter two hundred forty-nine A (249A), Code 1966, shall be  
23 preserved and continued under this Act."

Approved June 2, 1969.

## CHAPTER 172

## COUNTY LEGAL AID PROGRAMS

H. F. 664

AN ACT relating to establishment of county legal aid programs.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section two hundred fifty-two point twenty-seven (252.27),  
2 Code 1966, as amended by chapter two hundred twenty-five (225), section  
3 one (1), Acts of the Sixty-second General Assembly, is hereby further  
4 amended as follows:

5 1. By inserting in line three (3) after the word "attendance," the words  
6 "civil legal aid,".

7 2. By inserting in line four (4) after the period the following:

8 "Legal aid authorized herein shall be provided only through a legal  
9 aid program approved by the county board of supervisors."