

633.231 Notice in intestate estates — medical assistance claims.

1. Upon opening administration of an intestate estate, the administrator shall, in accordance with [section 633.410](#), provide by electronic transmission on a form approved by the department of human services to the entity designated by the department of human services, a notice of opening administration of the estate and of the appointment of the administrator, which shall include a notice to file claims with the clerk or to provide electronic notification to the administrator that the department has no claim within six months from the date of sending this notice, or thereafter be forever barred.

2. The notice shall be in substantially the following form:

In the District Court of Iowa
in and for County.
In the Estate of Probate No.
....., Deceased

NOTICE OF OPENING
ADMINISTRATION OF
ESTATE, OF APPOINTMENT OF
ADMINISTRATOR, AND
NOTICE TO CREDITOR

To the Department of Human Services Who May Be Interested
in the Estate of, Deceased, who died on or about
..... (date):

You are hereby notified that on the day of (month),
..... (year), an intestate estate was opened in the above-named
court and that was appointed administrator of the
estate.

You are further notified that the birthdate of the deceased is
..... and the deceased’s social security number is ...-...-....
The name of the spouse is The birthdate of
the spouse is and the spouse’s social security number is
...-...-..., and that the spouse of the deceased is alive as of the date
of this notice, or deceased as of (date).

You are further notified that the deceased was/was not a disabled
or a blind child of the medical assistance recipient by the name
of, who had a birthdate of and a social
security number of ...-...-..., and the medical assistance debt of
that medical assistance recipient was waived pursuant to [section
249A.53, subsection 2](#), paragraph “a”, subparagraph (1), and is now
collectible from this estate pursuant to [section 249A.53, subsection
2](#), paragraph “b”.

Notice is hereby given that if the department of human services
has a claim against the estate for the deceased person or persons
named in this notice, the claim shall be filed with the clerk of the
above-named district court, as provided by law, duly authenticated,
for allowance, within six months from the date of sending this notice
and, unless otherwise allowed or paid, the claim is thereafter forever
barred. If the department does not have a claim, the department
shall return the notice to the administrator with notification stating
the department does not have a claim within six months from the
date of sending this notice.

Dated this day of (month), (year)

.....
Administrator of the estate
.....
Address

.....
Attorney for the administrator

.....
Address

2001 Acts, ch 109, §1; 2002 Acts, ch 1119, §97; 2007 Acts, ch 134, §11; 2010 Acts, ch 1137, §4; 2011 Acts, ch 34, §139; 2016 Acts, ch 1073, §171

Referred to in §633.410, 635.13