

# MassHealth Estate Recovery Policy Update

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MassHealth is making the several reforms to their estate recovery policy in an attempt to prevent undue hardship for members and their families and to support low and middle-income families retain some assets while remaining in compliance with federal and state law.

Usually, when a MassHealth recipient dies, MassHealth's right of recovery is limited to the recipient's [probate estate](#). A probate estate includes property that a person possesses at the time of death held in his or her name alone. Under current Massachusetts regulations, property in joint names, in trust or in a life estate deed generally passes outside the probate estate and would be exempt from MassHealth's right to recover.

MassHealth has the right to be repaid for the total cost of care for services paid by MassHealth for members age 55 and older, or for members of any age who are permanently in a long-term care or other medical facility.

MassHealth's proposed reforms will significantly reducing the number of estates subject to estate recovery and limiting the amount recovered in certain circumstances. As MassHealth will **no longer file claims on estates with a total value of \$25,000 or less.**

For more information about this MassHealth policy update, [click here](#).

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