

## OTHER ELIGIBILITY REQUIREMENTS

### RECOVERIES

The cost effectiveness of pursuing recoveries for Medicaid paid is determined. Cost effectiveness is based on a variety of factors, including but not limited to: the administrative cost of a court action; the amount of overpayment; the availability of income or assets from which to recover; and previous experience with the court.

See page 479 for a discussion of recovery from the real property of an institutionalized individual. An institutionalized individual is an inpatient in a nursing facility, intermediate care facility for the mentally retarded, or other medical institution, who is not reasonably expected to be discharged from the medical institution to return home.

**NOTE:** A recovery cannot be made for Medicaid correctly paid on behalf of a Medicaid recipient with a long term care insurance policy certified under the New York State Partnership for Long Term Care in accordance with SSL 367-f.

The sections that follow discuss these forms of recoveries:

Liens; and

Voluntary repayments.