



Ohio Revised Code

Section 5302.221 Transfer on death deed medicaid estate recovery form.

Effective: April 6, 2017

Legislation: Senate Bill 227 - 131st General Assembly

(A) As used in this section, "medicaid estate recovery program" means the program instituted under section 5162.21 of the Revised Code.

(B) The administrator of the medicaid estate recovery program shall prescribe a form on which a beneficiary of a transfer on death designation affidavit as provided in section 5302.22 of the Revised Code, who survives the deceased owner of the real property or an interest in the real property or that is in existence on the date of death of the deceased owner, or that beneficiary's representative is to indicate both of the following:

(1) Which of the following applies to the deceased owner:

(a) The deceased owner had been a medicaid recipient.

(b) The deceased owner had never been a medicaid recipient.

(c) The beneficiary or representative does not know whether the deceased owner had ever been a medicaid recipient.

(2) If the spouse of the deceased owner died before the owner died, which of the following applies to the predeceased spouse:

(a) The predeceased spouse had been a medicaid recipient.

(b) The predeceased spouse had never been a medicaid recipient.

(c) The beneficiary or representative does not know whether the predeceased spouse had ever been a medicaid recipient.



(C) The administrator of the medicaid estate recovery program shall make the form prescribed under division (B) of this section available to county recorders. A county recorder shall provide a copy of the form to a beneficiary of a transfer on death designation affidavit or the beneficiary's representative before recording the transfer of the real property or interest in the real property under section 5302.222 of the Revised Code. A beneficiary or beneficiary's representative shall submit a copy of the properly completed form to the administrator of the medicaid estate recovery program if the beneficiary or representative indicates any of the following on the form:

(1) That the deceased owner had been a medicaid recipient or that the beneficiary or representative does not know whether the deceased owner had ever been a medicaid recipient;

(2) That the predeceased spouse of the deceased owner had been a medicaid recipient or that the beneficiary or representative does not know whether the predeceased spouse had ever been a medicaid recipient.