



Common Questions About MaineCare

This section will answer some common questions about MaineCare.

What does MaineCare cover?

MaineCare covers more health services than Medicare. Generally, MaineCare covers the costs of going to the hospital, going to see your doctor, getting medical supplies, or receiving long term care in your own home, assisted living facility, or skilled nursing facility.

The amount of your MaineCare benefit is based on your income, age, medical needs, and family situation. To find out more about MaineCare benefits, call your local Area Agency on Aging at 1-877-353-3771.

What if I can't get MaineCare because I have too much money or property?

If you are not eligible for MaineCare because you have too much money or property, you might be able to reduce your assets to become eligible. **This is very risky.** There are confusing laws that say how you have to do this. If you make a mistake, you might not be able to get MaineCare even after you meet the asset requirements.

You should talk to an attorney before doing anything to reduce your assets such as giving away money or property. The attorney needs to be very familiar with the MaineCare rules. Call the Legal Services for Maine Elders Helpline at 1-800-750-5353 to talk to an attorney for free.

Will I lose my home if I get MaineCare?

Many people think that if you get MaineCare then the State will take your house away. This is not exactly true. Read on to learn more.

Can the State take my home if I get MaineCare?

NO! The law does not allow the State to just take your home. What people are really talking about are rights the State has after you die, called "Estate Recovery". The law says the State can try to collect money it paid for your health care. But, it only applies if you are 55 and older and receive long-term care MaineCare.

Here's an example of how it works:

MaineCare has paid all Edna's nursing home bills. When she dies, the State has the right to collect the money it spent on her nursing home care from her estate. This is called "Estate Recovery." When Edna dies, she only owns her house and a few pieces of family jewelry. Attorneys call this her "estate." Edna's estate is so small that the house may need to be sold to pay the State. The amount left after Estate Recovery will go to her son and daughter, her "heirs."

Does this mean that if I use any MaineCare programs, the State must be repaid?

NO! Your estate will not be touched if you use certain MaineCare programs such as:

1. Medicare Buy-In Benefits or Medicare Savings Programs that help pay for Medicare premiums and other Medicare costs.
2. The Low Cost Drug Program for the Elderly and Disabled.

Does the State always have the right to collect the money it spent on my health care?

NO! Before the State can collect any money, it must first go to court and prove it is owed money. If it is able to prove this, it can start the Estate Recovery process. But, the State will not start collecting from your estate until:

1. Your spouse has died;
2. Your minor child has died; or,
3. Your adult child who is blind or disabled has died.

What if I have a Will?

A Will does not protect you against Estate Recovery. The State must be paid before the people you name in your Will get anything. If you are on MaineCare for a long time, there may be nothing left in your estate after the State gets paid.

Is there anything I can do to protect my house from Estate Recovery? It's all I own.

There may be some steps you can take now to protect your house from Estate Recovery. Call the Legal Services for Maine Elders Helpline at 1-800-750-5353 to talk with an attorney for free.

Remember:

- The State CANNOT try to collect any money it pays for your health care while you are alive.
- The State CANNOT take (or put a lien) on your house while you are alive.
- You have the right to do what you want with your property. You can sell your house. The State has NO rights to your property when you are alive.
- The State CANNOT take your home away from your surviving spouse.
- Estate Recovery applies only to long term care MaineCare benefits you get after age 55. The State CANNOT collect money it paid for your health care before age 55.

Estate Recovery is complicated. These are just the basics. There may be other ways the Estate Recovery rules affect you that are not covered here. Call the Legal Services for Maine Elders Helpline at 1-800-750-5353 to learn more.

Resources

Area Agency on Aging

To get help applying for MaineCare, or if you have questions about your MaineCare benefits, call your local Area Agency on Aging at: 1-877-353-8771

Legal Services for Maine Elders

If you are a Maine resident who is 60 or older and you are worried about Estate Recovery, call the Legal Services for Maine Elders Helpline at 1-800-750-5353 to talk to an attorney for free.

Department of Health and Human Services, Office of MaineCare Services

If you have questions about MaineCare, call the Office of MaineCare Services at: (207) 287-2674 OR TTY: 711

You can apply for MaineCare online by visiting the “My Maine Connection” website. [Visit the My Maine Connection website by clicking here.](#)

To find out what your MaineCare benefits are, [check out the MaineCare Member Handbook by clicking here.](#)

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