

IC 12-20-27

Chapter 27. Recovery From Estate of Township Assistance Recipient

IC 12-20-27-1

Filing claims

Sec. 1. (a) Subject to IC 12-20-11-5(b), a township trustee who, as administrator of township assistance, furnishes township assistance, may file a claim against the estate of a township assistance recipient who:

- (1) dies, leaving an estate; and
- (2) is not survived by:
 - (A) a spouse;
 - (B) an adult dependent with a disability; or
 - (C) a dependent child less than eighteen (18) years of age;

for the value of township assistance given the recipient before the recipient's death.

(b) For purposes of this section, the estate of a township assistance recipient includes any money or other personal property in the possession of a coroner under IC 36-2-14-11.

As added by P.L.2-1992, SEC.14. Amended by P.L.51-1996, SEC.71; P.L.73-2005, SEC.149; P.L.99-2007, SEC.99.

IC 12-20-27-1.5

Repayment of benefits provided during interim period

Sec. 1.5. (a) As used in this section, "interim period" means the period:

- (1) beginning when a township trustee obtains from a township assistance applicant or member of the applicant's household an agreement or authorization described in subsection (b); and
- (2) ending when the township assistance applicant or member of the applicant's household receives the judgment, compensation, or monetary benefit or leaves the household.

(b) Subject to IC 12-20-11-5(b), if a township trustee, as administrator of township assistance, anticipates that a township assistance applicant or a member of the applicant's household is likely to receive a judgment, compensation, or a monetary benefit from a third party, the township trustee may require the applicant or the affected member of the applicant's household to:

- (1) enter into a subrogation agreement; or
- (2) sign a Social Security Administration's reimbursement authorization;

for the repayment of any township assistance benefits provided by the township during the interim period. A subrogation agreement authorized under subdivision (1) may only require repayment of interim benefits provided to the applicant or to the applicant's dependents who were members of the household to which township assistance benefits were paid.

As added by P.L.51-1996, SEC.72. Amended by P.L.73-2005, SEC.150.

IC 12-20-27-2

General claim status

Sec. 2. A claim filed against the estate of a township assistance recipient under IC 12-2-14 (before its repeal) or this chapter shall be filed and allowed as a general claim.

As added by P.L.2-1992, SEC.14. Amended by P.L.73-2005, SEC.151.