

# Medicaid Estate Recovery Impact Story

## Sandy LoGrande

GLOUCESTER, MASSACHUSETTS

Sandy LoGrande's father, Salvatore, had wanted to buy a home for a long time. In 1976, the immigrant from Sicily—better known as Sam—and his wife were finally able to do so.

"It was the best thing ever," Sandy recalled. "My parents were so excited. They were so proud."

It was in this house that Sam lost his wife and son to cancer and where he learned he had prostate cancer. So, Sandy, who was recovering from breast cancer herself, moved in to care for him.

### "He'd Never Go Into a Nursing Home"

Sam decided to apply for MassHealth, the Medicaid program in Massachusetts, to cover his medical costs. But Sam and Sandy had heard that MassHealth could seek repayment for expenses by going after an individual's home later—a process known as Medicaid Estate Recovery—so they asked about it during the application process. The representative from a managed care program told them that it would only happen if Sam went into a nursing home.

"We knew he'd never go into a nursing home," Sandy said. "That was basically our main concern, and she alleviated it."

The representative also never asked them if Sam owned another property. He did. But both Sandy and Sam figured the representative knew what she was doing, "so we didn't even give it a second thought," she added.

Sam and Sandy lived in the house for several more years, and her care helped him remain at home. After Sam died in 2016, Sandy, who had since been diagnosed with Crohn's disease and arthritis, went back to work, waitressing at a hotel. With funds low, she waited a year to file for the estate in probate court. Six weeks later, she received a letter from MassHealth, filing a claim against the estate for \$178,000 to cover her father's expenses. And because Sam didn't disclose the second property when he applied, MassHealth was seeking triple damages—or more than \$500,000.

John Ford, a NAELA member and director of the Elder Law Project at the Northeast Justice Center, agreed to take Sandy's case pro bono when he heard what had happened.

### The Case Dragged On for Two Years

Although Sandy met the standard for an exempt transfer of the house by caring for her father for two years and keeping him out of a nursing home, the case dragged on for two years. Suddenly, MassHealth announced it would settle.

That's because, in addition to the managed care representative not telling Sandy that Medicaid Estate Recovery applied to non-nursing home care, MassHealth was seeking to recover a \$3,000 monthly insurance premium, not just medical expenses. Both MassHealth and the managed care program were required to tell Sam it would charge for this premium when he signed up and throughout the program, but neither one had given him notice.

Now, LoGrande speaks frequently about her case because she wants other people to avoid what happened to her.

"People need to be aware that [the plan] may pay everything, but there's going to be an expense later, and that's the scary thing when you're not told," she said.



**"It was so intense.  
The panic was always,  
always there."**

To hear **Sandy's story**  
in her own words, scan  
the QR code. →



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