

Medicaid Estate Recovery Impact Story

Vincent Gunning Jr.

LYNN, MASSACHUSETTS

Vince Gunning Jr.'s family has a long history both in Lynn, Massachusetts, and in the house where he lives today. His grandparents moved there more than 100 years ago, and he's lived there for more than 30 years.

Before his Aunt Grace died in 2008, he lived there with her. A Vietnam War veteran who served two tours, Vince lost one of his legs to diabetes in 2002. Still, he helped take care of his aunt. While he was working as a mail handler for the U.S. Postal Service, he came home a few times and found her on the floor; she had fallen and couldn't get up. His other aunts and uncles insisted that she go to a nursing home for care, although neither he nor Grace wanted her to go.

"It was awful," Vince recalled.

The House Was Left to Him

After Grace died in 2008, Vince stayed in the house, paying the bills. In her will, she left the house to him as her sole beneficiary. But, as often happens with families who have no lawyer, he didn't file a petition to probate Grace's estate. As long as he was paying the bills, nobody bothered him.

In 2019, however, the Medicaid Estate Recovery Unit at MassHealth, Massachusetts' Medicaid program, retained a public administrator to file a petition to probate Grace's estate and a claim for \$260,000 for her nursing home costs; it also sought to force a sale of the home for that amount. Although the state sent Vince letters, he ignored them.

"I shouldn't have, obviously, but I did," he said.

An Eviction Notice Arrives

Eventually, Vince got a different kind of letter—an eviction notice—that he did pay attention to.

"They wanted me to pay them \$260,000, which wasn't gonna happen," he said. "I just plain couldn't do it. No bank is going to loan me that, not that kind of money."

Fortunately, his attorneys—including John Ford, a NAELA member and director of the Elder Law Project, and Laura Gallant, both of the Northeast Justice Center—found another solution: Habitat for Humanity was willing to buy the house, obtain a loan from the City of Lynn Department of Community Development Corporation to pay off the MassHealth claim at a substantially reduced amount, and completely rehabilitate the home, so Vince could continue to live there. The home is now fully handicapped accessible, and he has a life-long lease with an affordable monthly rent. Although Vince won't be able to pass it on to another family member after he dies, the home will be sold to another low-income family eligible for the affordable housing program.

But for the timely intervention of his lawyers and Habitat for Humanity, Vince would have been homeless. As for Medicaid Estate Recovery, he said, "It's not much of an insurance if you've got to pay it back at the end."



“Why do they call it insurance if you have to pay it back? They should call it a loan, so you know upfront.”

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



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