

**246.53 CLAIM AGAINST ESTATE OF DECEASED CLIENT.**

Subdivision 1. **Client's estate.** Upon the death of a client who received services, the executive board shall file a claim against the estate of the individual for the total cost of care provided to the client, less the amount actually paid toward the cost of care by the client and the client's relatives in the court having jurisdiction to probate the estate. All proceeds collected by the state in the case must be divided between the state and county in proportion to the cost of care each has borne.

Subd. 2. **Preferred status.** (a) An estate claim in subdivision 1 must be considered an expense of the last illness for purposes of section 524.3-805.

(b) The executive board has the power to compromise a claim under this section if the executive board determines that the property or estate of any client does not exceed the minimum needed to care for and maintain the spouse and minor or dependent children of a deceased client.

Subd. 3. [Repealed, 2009 c 79 art 3 s 19]

Subd. 4. **Exception from statute of limitations.** Any statute of limitations that limits the executive board in recovering the cost of care obligation incurred by a client who received services does not apply to any claim against an estate made under this section to recover the cost of care.

**History:** 1959 c 578 s 4; 1969 c 205 s 2; 1981 c 31 s 5; 1982 c 641 art 1 s 8; 1984 c 654 art 5 s 58; 1985 c 21 s 17; 1989 c 282 art 2 s 218; 2012 c 216 art 12 s 6; 2024 c 79 art 2 s 41-43