

August 29, 2012

Sharon L. Summers
Planning and Policy Development Unit
Division of Medicaid and Medical Assistance
1901 North DuPont Highway
P.O. Box 906
New Castle, DE 19720-0906

RE: DMMA Proposed Estate Recovery and Civil Unions Regulation [16 DE Reg. 166 (August 1, 2012)]

Dear Ms. Summers:

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed the Division of Medicaid and Medical Assistance (DMMA) proposed regulation incorporating references to "civil union partners" in the context of estate recovery and liens. In May, 2011, the Governor signed House Bill No. 30 which authorized civil unions between same-sex partners. In June of 2011, the Centers for Medicare and Medicaid Services (CMS) issued guidance to states entitled "Same Sex Partners and Medicaid Liens, Transfers of Assets, and Estate Recovery". Council **endorses** the proposed regulation.

Thank you in advance for your time and consideration of our comments. Please feel free to contact me or Wendy Strauss should you have questions.

Sincerely,

Terri A. Hancharick
Chairperson

TAH:kpc