



Jeff Branick
County Judge

Jefferson County Courthouse
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February 22, 2023

TO: Attorneys at Law practicing in the Probate Court

FROM: Jeff Branick, County Judge

RE: **MERP Authorization and Certification website address and 2023 Local Rules**

On March 1, 2005, Texas implemented the Medicaid Estate Recovery Program in compliance with federal Medicaid laws. The Texas Department of Aging and Disability Services (DADS) manages the program. Under this program, the state may file a claim against the estate of a deceased Medicaid recipient, age 55 and older, who applied for certain long-term care services on or after March 1, 2005.

Many Texas probate courts have established local rules requiring a recipient's heir to provide a sworn statement specifying whether the recipient's (or decedent's) estate is subject to a MERP claim. To assist in determining whether a decedent's estate is subject to a MERP claim, DADS has created the Authorization and MERP Certification.

You may obtain more information at the following site (new website):

<https://www.hhs.texas.gov/regulations/legal-information/your-guide-medicaid-estate-recovery-program>

The MERP form is required before scheduling and probating a will as a Muniment of Title. The form can be found at:

https://co.jefferson.tx.us/ProbateCourt/PCCJC_home.htm

Also, on January 1, 2023, all courts were required to post their Local Rules to the OCA website. Jefferson County has complied and the 2023 Local Rules for Probate Court can be found at: https://co.jefferson.tx.us/ProbateCourt/PCCJC_home.htm

If you have any questions, please contact the Probate Court Staff in the County Judge's office at 409-835-8468.

Jeff R. Branick
County Judge