

Accompanying the first recommendation of the Department of Public Welfare (House, No. 173). Human Services and Elderly Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Seven.

AN ACT RELATIVE TO TRANSFERS OF PROPERTY BY WELFARE APPLICANTS AND RECIPIENTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 117 of the General Laws is hereby
2 amended by inserting, after section 4, the following sections:—

3 Section 4A. Any person who has conveyed, transferred or
4 disposed of any real or personal property within two years prior
5 to the date of making application for benefits under this chapter
6 without receiving full and adequate consideration in money or
7 money's worth shall, unless shown to the contrary, be presumed
8 to have made such transfer, conveyance or disposition in
9 contemplation of receiving benefits under this chapter. Any such
10 person shall be ineligible for benefits under this chapter in
11 accordance with the provisions of section four B.

12 Any recipient of benefits under this chapter who has conveyed,
13 transferred or disposed of any real or personal property while
14 receiving benefits under this chapter without receiving full and
15 adequate consideration in money or money's worth shall, unless
16 shown to the contrary, be presumed to have made such transfer,
17 conveyance or disposition in order to remain eligible for benefits
18 under this chapter. Any such person shall be ineligible for benefits
19 under this chapter in accordance with the provisions of section
20 four B.

21 This section shall not apply to any case where receipt of full
22 value, less encumbrances, would not have affected eligibility.

23 *Section 4B.* The period of ineligibility for any applicant or
24 recipient found ineligible under section four A shall continue
25 until the expiration of the shortest of the following three periods:
26 until the value of such property, less encumbrances and any
27 consideration in fact received, shall have been expended by or in
28 behalf of such person for his reasonable maintenance need,
29 including reasonable needs for medical care; or, until the value of
30 such property, less encumbrances and any consideration in fact
31 received, shall have been expended for maintenance needs
32 according to the budget for such person under this chapter and
33 for medical care for which, but for the application of this section,
34 such person would have been eligible to receive medical assistance
35 under chapter one hundred and eighteen E; or, three years.

1 SECTION 2. Chapter 118 of the General Laws is hereby
2 amended by inserting after section 3, the following sections: —

3 *Section 3A.* Any person who has conveyed, transferred or
4 disposed of any real or personal property within two years prior
5 to the date of making application for benefits under this chapter
6 without receiving full and adequate consideration in money or
7 money's worth shall, unless shown to the contrary, be presumed
8 to have made such transfer, conveyance or disposition in
9 contemplation of receiving benefits under this chapter. Any such
10 person shall be ineligible for benefits under this chapter in
11 accordance with the provisions of section three B.

12 Any recipient of benefits under this chapter who has conveyed,
13 transferred, or disposed of any real or personal property while
14 receiving benefits under this chapter without receiving full and
15 adequate consideration in money or money's worth shall, unless
16 shown to the contrary, be presumed to have made such transfer,
17 conveyance or disposition in order to remain eligible for benefits
18 under this chapter. Any such recipient shall be ineligible for
19 benefits under this chapter in accordance with the provisions of
20 section three B.

21 This section shall not apply to any case where receipt of full
22 value, less encumbrances, would not have affected eligibility.

23 *Section 34B.* The period of ineligibility for any applicant or
24 recipient found ineligible under section three A shall continue

25 until the expiration of the shortest of the following three periods:
26 until the value of such property, less encumbrances and any
27 consideration in fact received, shall have been expended by or in
28 behalf of such person for his reasonable maintenance need,
29 including reasonable needs for medical care; or, until the value of
30 such property, less encumbrances and any consideration in fact
31 received, shall have been expended for maintenance needs
32 according to the budget for such person under this chapter and
33 for medical care for which, but for the application of this section,
34 such person would have been eligible to receive medical assistance
35 under chapter one hundred and eighteen E; or, three years.

1 SECTION 3. Section 1 of chapter 118A of the General Laws,
2 as most recently amended by section 23 of chapter 1210 of the
3 Acts of 1973, is hereby further amended by striking out the last
4 paragraph.

1 SECTION 4. Chapter 118A of the General Laws is hereby
2 amended by inserting, after section 4, the following sections: —
3 *Section 4A.* Any person who has conveyed, transferred or
4 disposed of any real or personal property within two years prior
5 to the date of making application for benefits under this chapter
6 without receiving full and adequate consideration in money or
7 money's worth shall, unless shown to the contrary, be presumed
8 to have made such transfer, conveyance or disposition in
9 contemplation of receiving benefits under this chapter. Any such
10 person shall be ineligible for benefits under this chapter in
11 accordance with the provisions of section four B.

12 Any recipient of benefits under this chapter who has conveyed,
13 transferred or disposed of any real or personal property while
14 receiving benefits under this chapter without receiving full and
15 adequate consideration in money or money's worth shall, unless
16 shown to the contrary, be presumed to have made such transfer,
17 conveyance or disposition in order to remain eligible for benefits
18 under this chapter. Any such recipient shall be ineligible for
19 benefits under this chapter in accordance with the provisions of
20 section four B.

21 This section shall not apply to any case where receipt of full
22 value, less encumbrances, would not have affected eligibility.

23 *Section 4B.* The period of ineligibility for any applicant or
24 recipient found ineligible under section four A shall continue
25 until the expiration of the shortest of the following three periods:
26 until the value of such property, less encumbrances and any
27 consideration in fact received, shall have been expended by or in
28 behalf of such person for his reasonable maintenance need,
29 including reasonable needs for medical care; or, until the value of
30 such property, less encumbrances and any consideration in fact
31 received shall have been expended for maintenance needs
32 according to the budget for such person under this chapter and
33 for medical care for which, but for the application of this section,
34 such person would have been eligible to receive medical assistance
35 under chapter one hundred and eighteen E; or, three years.

1 SECTION 5. Chapter 118E of the General Laws is hereby
2 amended by striking out section 13, as appearing in section 1 of
3 chapter 826 of the acts of 1971, and inserting in place thereof the
4 following sections:—

5 *Section 13.* Any person who has conveyed, transferred or
6 disposed of any real or personal property within two years prior
7 to the date of making application for benefits under this chapter
8 without receiving full and adequate consideration in money or
9 money's worth shall, unless shown to the contrary, be presumed
10 to have made such transfer, conveyance or disposition in
11 contemplation of receiving benefits under this chapter. Any such
12 person shall be ineligible for benefits under this chapter in
13 accordance with the provisions of section thirteen A.

14 Any recipient of benefits under this chapter who has conveyed,
15 transferred or disposed of any real or personal property while
16 receiving benefits under this chapter without receiving full and
17 adequate consideration in money or money's worth shall, unless
18 shown to the contrary, be presumed to have made such transfer,
19 conveyance or disposition in order to remain eligible for benefits
20 under this chapter or to avoid any liability to the Commonwealth
21 for medical services rendered which would accrue on the
22 recipient's death. Any such recipient shall be ineligible for

23 benefits under this chapter in accordance with the provisions of
24 section thirteen A.

25 *Section 13A.* The period of ineligibility for any applicant or
26 recipient found ineligible under section thirteen shall continue
27 until the expiration of the shortest of the following three periods:
28 until the value of such property, less encumbrances and any
29 consideration in fact received, shall have been expended by or in
30 behalf of such person for his reasonable maintenance need,
31 including reasonable needs for medical care; or, until the value of
32 such property, less encumbrances and any consideration in fact
33 received shall have been expended for maintenance needs
34 according to the budget for such person under the categorically
35 related assistance payment program and for medical care for
36 which, but for the application of this section, such person would
37 have been eligible to receive medical assistance under this
38 chapter; or, three years.

39 This section shall not apply to any case where receipt of full
40 value, less encumbrances, would not have affected eligibility.

The first part of the report deals with the general situation of the country and the progress of the war. It is followed by a detailed account of the operations of the army and the navy. The report concludes with a summary of the results of the campaign and a list of the names of the officers and men who have distinguished themselves in the field.

The second part of the report deals with the operations of the army and the navy. It is followed by a detailed account of the operations of the army and the navy. The report concludes with a summary of the results of the campaign and a list of the names of the officers and men who have distinguished themselves in the field.



