

DOC # 0133721

05/01/2009

04:45 PM

Official Record

Recording requested By
STATE OF NEVADA ATTORNEY GENERAL

Lincoln County - NV

Leslie Boucher - Recorder

Fee: Page 1 of 6

RPTT: Recorded By: AE

Book- 248 Page- 0328



0133721

APN # 0074-121-16

TYPE OF DOCUMENT: NOTICE OF LIEN

RECORDING REQUESTED BY: OFFICE OF THE ATTORNEY GENERAL

RETURN RECORDED DOCUMENT TO:

Name: Rene L. Hulse, Deputy Attorney General

Address: 555 E. Washington Avenue #3900

City/State/Zip: Las Vegas, Nevada 89101

NOTICE OF LIEN

TO: NATHANIEL COLLINS, deceased
Almeda Collins, spouse
Dale Collins, son
Terese Collins, daughter-in-law

PLEASE TAKE NOTICE THAT the State of Nevada, Department of Health & Human Services Division of Health Care Financing and Policy, an agency of the State of Nevada, whose central office is 1000 East Williams Street, Suite 102, Carson City, Nevada 89701, by and through its counsel, Catherine Cortez Masto, Attorney General, and RENE L. HULSE, Deputy Attorney General, claims a lien pursuant to the provisions of NRS 422.29306 and NRS 108.850 to 108.870, and the ORDER IMPOSING MEDICAID LIEN ON REAL PROPERTY attached hereto and incorporated herein by this reference, upon the property described as follows:

ALAMO SOUTH SUBDIVISION
UNIT 2, TRACT 1, LOT 48
APN: 0074-121-16

commonly known as 48 Theresa Way, Alamo, County of Lincoln, Nevada 89001.

The lien is placed for reimbursement of Medicaid benefits paid on behalf of NATHANIEL COLLINS in the amount of **forty-six thousand one hundred twenty-five dollars and forty-nine cents (\$46,124.49)** to be paid to Nevada State Division of Health Care Financing and Policy upon sale or transfer of the property.

However, pursuant to State and Federal law, the State may only recover on such a lien at a time when there is no surviving spouse, child(ren) under 21, or blind and/or disabled children of any age, if any. Additionally, the State must release its lien if the surviving spouse, child under 21 or disabled child, if any, seeks to engage in a bona fide sale or financial transaction involving the home. The object of the pending lien action is to secure the State's interest in the property and also allow the survivors to enjoy and benefit from their interest in and use of the property.

///
///
///



0133721

Book 246
Page: 330

05/01/2009
Page 3 of 6

Upon any financial transaction involving the subject property, please contact the State of Nevada, Division of Health Care Financing and Policy, or, the Attorney General's Office.

DATED this 29th day of April 2009.

CATHERINE CORTEZ MASTO
Attorney General

By:

RENE L. HULSE

Deputy Attorney General

Nevada Bar No. 3778

(702) 486-3107

Attorneys for State of Nevada,

Division of Health Care Financing and
Policy

Attachment

Re: NATHANIEL COLLINS, deceased

When recorded please return to:

RENE L. HULSE

Deputy Attorney General

555 East Washington Ave., Suite 3900

Las Vegas, Nevada 89101

1 Case No.: CV0104009
2 Dept. No:

2009 APR 24 PM 1:20
LINCOLN COUNTY CLERK
[Signature]

3
4
5
6 **IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,**
7 **IN AND FOR THE COUNTY OF LINCOLN**

8 STATE OF NEVADA, DEPARTMENT)
9 OF HEALTH AND HUMAN SERVICES,)
10 DIVISION OF HEALTH CARE)
11 FINANCING AND POLICY,)

12 Petitioner,

13 vs.

14 NATHANIEL COLLINS, deceased;
15 and DOES I-X,

16 Respondent.

17 **ORDER IMPOSING MEDICAID LIEN ON REAL PROPERTY**

18 THIS MATTER came before this Court on April 10, 2009, upon the Petition of the
19 STATE OF NEVADA, DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF
20 HEALTH CARE FINANCING AND POLICY ("NEVADA MEDICAID"), by and through
21 CATHERINE CORTEZ MASTO, Attorney General of the State of Nevada, by and through
22 RENE L. HULSE, Deputy Attorney General. The Court having received the evidence finds as
23 follows:

- 24 1. All notices as required by law have been provided.
- 25 2. NATHANIEL COLLINS, deceased, was the recipient of Medicaid benefits from
26 January 1, 2007, through February 27, 2008, his date of death.
- 27 3. The State of Nevada Medicaid Program provided payment for medical services
28 for the care of NATHANIEL COLLINS in the amount of **forty-six thousand one hundred
twenty-five dollars and forty-nine cents (\$46,124.49)** through August 28, 2008.

1 4. The amount of the benefits paid may increase as Medicaid providers have until
2 one year from the date of the death of NATHANIEL COLLINS to bill Medicaid for services
3 rendered.

4 5. The undivided estate of NATHANIEL COLLINS included real property whose
5 common address is 48 Theresa Way, Alamo, County of Lincoln, Nevada 89001 and whose
6 legal description is as follows:

7 ALAMO SOUTH SUBDIVISION
8 UNIT 2, TRACT 1, LOT 48
9 APN: 0074-121-16

10 6. At the time of death, the DECEDENT owned the subject property as a Joint
11 Tenant with his spouse, Almeda Collins, and therefore held a one-half (1/2) interest in the
12 property. Pursuant to State and Federal law, the State may only recover on such a lien at a
13 time when there is no surviving spouse, child(ren) under 21, or blind and/or disabled child(ren)
14 of any age, if any. Additionally, the State must release its lien if the surviving spouse, child
15 under 21, or disabled child, if any, seeks to engage in a bona fide sale or financial transaction
16 involving the home.

17 7. The imposition of a lien upon the above-described interest in the real property of
18 NATHANIEL COLLINS, a deceased Medicaid recipient, by Nevada Medicaid is authorized
19 and appropriate pursuant to Nevada Revised Statutes.

20 8. The imposition of a lien in the amount of **forty-six thousand one hundred**
21 **twenty-five dollars and forty-nine cents (\$46,124.49)**, which represents the amount of
22 assistance paid on behalf of NATHANIEL COLLINS, Medicaid recipient, by Nevada Medicaid
23 is authorized and appropriate pursuant to Nevada Revised Statutes.

24 THEREFORE, based upon the foregoing, IT IS HEREBY ORDERED ADJUDGED AND
25 DECREED AS FOLLOWS:

26 A lien, on behalf of the STATE OF NEVADA, DEPARTMENT OF HEALTH AND
27 HUMAN SERVICES, DIVISION OF HEALTH CARE FINANCING AND POLICY ("NEVADA
28 MEDICAID"), in the amount of **forty-six thousand one hundred twenty-five dollars and**
forty-nine cents (\$46,124.49) is hereby imposed against the interest in the real property

Attorney General's Office
555 E. Washington, Suite 3900
Las Vegas, NV 89101



1 owned by NATHANIEL COLLINS at the time of death, whose common address is 48 Theresa
2 Way, Alamo, County of Lincoln, Nevada 89001 and whose legal description is as follows:

3 ALAMO SOUTH SUBDIVISION
4 UNIT 2, TRACT 1, LOT 48
5 APN: 0074-121-16

6 Pursuant to State and Federal law, the State may only recover on this lien at a time
7 when there is no surviving spouse, child(ren) under 21, or blind and/or disabled child(ren) of
8 any age, if any. Additionally, the State must release its lien if the surviving spouse, child
9 under 21, or disabled child, if any, seeks to engage in a bona fide sale or financial transaction
10 involving the home.¹

11 DATED this 23 day of April, 2009.

12 /s/ Dan L. Papez
13 DISTRICT COURT JUDGE

14 RESPECTFULLY SUBMITTED BY:

15 CATHERINE CORTEZ MASTO
16 Attorney General

17 By: Rene L. Hulse
18 RENE L. HULSE
19 Deputy Attorney General
20 Nevada Bar No.: 3778
21 555 E. Washington, Suite 3900
22 Las Vegas, Nevada 89101
23 (702) 486-3107
24 Attorneys for DHCFF

This document to which this certificate is attached is a full, true and correct copy of the original, on file and record in the County Clerks Office, Platts Nevada.

In witness whereof, I have hereunto set my hand and affixed the Seal of the Seventh Judicial District Court in and for the County of Lincoln, State of Nevada, this 24th day of April 2009

25 J. Sewers
26 Deputy Clerk

28 ¹ PLEASE CONTACT THE NEVADA DIVISION OF HEALTH CARE FINANCING AND POLICY OR THE NEVADA ATTORNEY GENERAL'S OFFICE FOR PAYOFF INSTRUCTIONS.

Attorney General's Office
555 E. Washington, Suite 3900
Las Vegas, NV 89101