

~~(2) A CHILD OF THE INDIVIDUAL WHO IS UNDER 21 YEARS OF AGE OR IS BLIND OR DISABLED; OR~~

~~(3) A SIBLING OF THE INDIVIDUAL WHO HAS AN EQUITY INTEREST IN THE HOME AND WAS RESIDING IN THE HOME FOR A PERIOD OF 1 YEAR IMMEDIATELY BEFORE THE DATE OF THE INDIVIDUAL'S ADMISSION INTO THE NURSING FACILITY OR MEDICAL INSTITUTION.~~

~~(C) IN THE CASE OF A LIEN PLACED ON AN INDIVIDUAL'S REAL PROPERTY UNDER THIS SECTION, AFTER THE DEATH OF THE INDIVIDUAL, THE DEPARTMENT MAY SEEK AN ADJUSTMENT OR RECOVERY OF MEDICAL ASSISTANCE CORRECTLY PAID FROM THE SALE OF THE PROPERTY SUBJECT TO THE LIEN AFTER THE DEATH OF THE INDIVIDUAL'S SURVIVING SPOUSE ONLY IF:~~

~~(1) THE INDIVIDUAL HAS NO SURVIVING CHILD WHO IS UNDER 21 YEARS OF AGE OR WHO IS BLIND OR DISABLED;~~

~~(2) THERE IS NO CHILD OF THE INDIVIDUAL 21 YEARS OF AGE OR OLDER RESIDING IN THE PROPERTY SUBJECT TO THE LIEN, WHO:~~

~~(I) HAS RESIDED THERE FOR A PERIOD OF AT LEAST 2 YEARS IMMEDIATELY BEFORE THE DATE OF THE INDIVIDUAL'S ADMISSION INTO THE NURSING FACILITY OR MEDICAL INSTITUTION;~~

~~(II) HAS LAWFULLY RESIDED THERE ON A CONTINUOUS BASIS SINCE THE INDIVIDUAL'S ADMISSION INTO THE NURSING FACILITY OR MEDICAL INSTITUTION; AND~~

~~(III) CAN ESTABLISH TO THE DEPARTMENT'S SATISFACTION THAT THE CARE PROVIDED BY THE CHILD TO THE INDIVIDUAL PRIOR TO THE INDIVIDUAL'S ADMISSION INTO THE NURSING FACILITY OR MEDICAL INSTITUTION PERMITTED THE INDIVIDUAL TO RESIDE IN THE HOME RATHER THAN IN THE NURSING FACILITY OR MEDICAL INSTITUTION; OR~~

~~(3) THERE IS NO SIBLING OF THE INDIVIDUAL LAWFULLY RESIDING IN THE PROPERTY SUBJECT TO THE LIEN, WHO:~~

~~(I) HAS RESIDED THERE FOR A PERIOD OF AT LEAST 1 YEAR IMMEDIATELY BEFORE THE DATE OF THE INDIVIDUAL'S ADMISSION TO A NURSING FACILITY OR MEDICAL INSTITUTION; AND~~

~~(II) HAS RESIDED THERE ON A CONTINUOUS BASIS SINCE THE DATE OF THE INDIVIDUAL'S ADMISSION INTO THE NURSING FACILITY OR MEDICAL INSTITUTION.~~

~~(D) ANY LIEN IMPOSED AGAINST AN INDIVIDUAL'S REAL PROPERTY UNDER THIS SECTION SHALL DISSOLVE UPON THE INDIVIDUAL'S DISCHARGE FROM THE NURSING FACILITY OR MEDICAL INSTITUTION AND THE INDIVIDUAL'S RETURN HOME FOR PERMANENT RESIDENCE.~~