

APN: 1320-34-002-005



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KAREN ELLISON, RECORDER

**Recording Requested By:  
And Return To:**

Name: Office of the Attorney General  
Address: 5420 Kietzke Lane, Suite 202  
City/State/Zip: Reno, NV 89511

I hereby affirm that this document submitted for recording does not contain the social security number of any person or persons.  
(Per NRS 239B.030)

Judy Girton  
Signature

Judy Girton, Legal Secretary II  
Print Name & Title

**ORDER IMPOSING MEDICAID LIEN ON REAL PROPERTY**

**1442 ORCHARD ROAD, GARDNERVILLE, NEVADA 89410**

If legal description is a metes & bounds description furnish the following information:

Legal Description obtained from

If Surveyor, please provide name and address.

This page added to provide additional information required by NRS 111.312 Sections 1-4.  
(Additional recording fee applies)

This cover page must be typed

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NOV - 5 2019

FILED

Douglas County  
District Court Clerk

2019 NOV -5 PM 2: 29

KEITH R. WILLIAMS  
CLERK  
M. BIAGGINI  
DEPUTY

1 CASE NO. 19CV-0068

2 DEPT. NO. 1

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5  
6 **IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**  
7 **IN AND FOR THE COUNTY OF DOUGLAS**

9 STATE OF NEVADA, DEPARTMENT )  
10 OF HEALTH AND HUMAN SERVICES, )  
11 DIVISION OF HEALTH CARE FINANCING )  
AND POLICY (NEVADA MEDICAID), )  
and SUZANNE BIERMAN, Administrator, )

12 Petitioners,

13 v.

14 FRANCES STEVENS, deceased, )  
15 and DOES I through X, inclusive, )

16 Respondents.

**ORDER IMPOSING MEDICAID  
LIEN ON REAL PROPERTY**

17 On the 5<sup>TH</sup> day of November, 2019, at the hour of 1:30 pm, the above captioned matter came  
18 before this Court on a *Verified Petition for Imposition of a Medicaid Lien on Real Property* filed by the  
19 STATE OF NEVADA, DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF  
20 HEALTH CARE FINANCING AND POLICY (NEVADA MEDICAID), and SUZANNE BIERMAN,  
21 Administrator, on behalf of Nevada Medicaid, by and through AARON D. FORD, Attorney General of  
22 the State of Nevada. Appearing at the hearing was Homa S. Woodrum, Deputy Attorney General and  
23 other appearances have been noted. The Court having received the evidence finds as follows:

- 24 1. All notices as required by law have been provided.  
25 2. Frances Stevens passed away on March 1, 2018.  
26 3. Frances Stevens was the recipient of Medicaid benefits from April 1, 2017 to March 1,  
27 2018.

28 . . . .

1           4.       The Nevada Medicaid Program provided payment for medical services for the care of  
2 Frances Stevens in the amount of **TWENTY-FIVE THOUSAND EIGHT HUNDRED NINETY**  
3 **DOLLARS AND SIXTY-THREE CENTS (\$25,890.63)** as of records dated October 2018.

4           5.       The amount of the benefits paid may increase as Medicaid providers have until one year  
5 from the date of the death of Frances Stevens to bill Medicaid for services rendered.

6           6.       The undivided estate of Frances Stevens included real property whose common address  
7 is 1442 Orchard Road, Gardnerville, Nevada 89410, situated in Douglas County, and whose legal  
8 description is as follows:

9                   ALL THAT PORTION OF SAID PARCEL LYING WEST OF  
10                   ORCHARD ROAD DESCRIBED AS FOLLOWS:

11                   PARCEL 4-A AS SET ON THAT CERTAIN PARCEL MAP FOR  
12                   DUANE D. SOUTHWICK AND TANNY SOUTHWICK BEING A  
13                   PORTION OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 13  
14                   NORTH, RANGE 20 EAST, M.D.B. & M., FILED FOR RECORD  
15                   FEBRUARY 5, 1995 IN BOOK 285, PAGE 175, DOCUMENT NO.  
16                   113237, OFFICIAL RECORDS OF DOUGLAS COUNTY, STATE OF  
17                   NEVADA.

18                   APN: 1320-34-002-005

19                   *Property description taken from the Deed of Trust filed with the Douglas County Recorder's Office on*  
20                   *May 13, 2002, as Document No. 0542135.*

21           7.       At the time of Ms. Stevens' death, she owned the property in joint tenancy with her  
22 spouse and appointed Guardian, Bayne Stevens, and had a fifty percent (50%) interest in the subject  
23 property. The Petitioner seeks to impose its lien only against the interest owned by Frances Stevens at  
24 the time of her death. Pursuant to state and federal law, the state may only recover on such a lien at a  
25 time when there is no surviving spouse, children under 21, blind and/or other disabled children of any  
26 age.

27                   Additionally, the state must release its lien if the surviving spouse, child under 21, or disabled  
28 child seeks to engage in a bona fide sale or financial transaction involving the home.

          7.       The imposition of a lien upon the above-described real property of Frances Stevens, a  
deceased Medicaid recipient, by Nevada Medicaid is authorized and appropriate pursuant to Nevada  
Revised Statutes.

1           8.     The imposition of a lien in the amount **TWENTY-FIVE THOUSAND EIGHT**  
2 **HUNDRED NINETY DOLLARS AND SIXTY-THREE CENTS (\$25,890.63)** which represents the  
3 amount of assistance paid on behalf of Frances Stevens, a Medicaid recipient, by Nevada Medicaid is  
4 authorized and appropriate pursuant to Nevada Revised Statutes.

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

7           A lien, on behalf of the NEVADA STATE DIVISION OF HEALTH CARE FINANCING AND  
8 POLICY (Nevada Medicaid), in the amount of **TWENTY-FIVE THOUSAND EIGHT HUNDRED**  
9 **NINETY DOLLARS AND SIXTY-THREE CENTS (\$25,890.63)** is hereby imposed against the real  
10 property of the undivided estate of Frances Stevens of which she was fifty percent (50%) owner of the  
11 property commonly known as 1442 Orchard Road, Gardnerville, Nevada 89410, situated in Douglas  
12 County, and whose legal description is as follows:

13                   ALL THAT PORTION OF SAID PARCEL LYING WEST OF  
14                   ORCHARD ROAD DESCRIBED AS FOLLOWS:

15                   PARCEL 4-A AS SET ON THAT CERTAIN PARCEL MAP FOR  
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20                   113237, OFFICIAL RECORDS OF DOUGLAS COUNTY, STATE OF  
21                   NEVADA.

22                   APN: 1320-34-002-005

23           DATED this 5 day of November 2019.

24  
25  
26  
27  
28  
  
DISTRICT JUDGE

Respectfully Submitted by:  
Homa S. Woodrum  
Deputy Attorney General  
Nevada Bar #10803  
100 N. Carson Street  
Carson City, Nevada 89701  
(775) 684-1100

COPY

**CERTIFIED COPY**

The document to which this certificate is attached is a full, true and correct copy of the original in file and of record in my office.

DATE November 5, 2019

BOBBIE R. WILLIAMS, Clerk of Court,  
of the State of Nevada, in and for the County of Douglas,

By *M. Gray* Deputy