

## SUMMARY STATEMENT

*Idaho Department of Health and Welfare v. Beason*  
Docket No. 50302-2022

The Idaho Supreme Court affirmed the district court's grant of summary judgment in favor of the Idaho Department of Health and Welfare on its action to set aside a transfer of real property from two Medicaid recipients, Robert Gilbert and Juanita Gilbert, to five of their grandchildren. The Department provided Robert and Juanita Medicaid benefits during their lifetimes, Juanita beginning in 1996 and Robert beginning in 2006. In 2005, Robert and Juanita executed two quitclaim deeds transferring their interest in real property to themselves and their grandchildren. Juanita died in 2015, and Robert died in 2017.

The Department is authorized to recover funds from the estates of Medicaid recipients as reimbursement for Medicaid benefits. Idaho law also allows the Department to set aside transfers by Medicaid recipients lacking adequate consideration. The Department filed a complaint against Robert's estate, Juanita's estate, and the five grandchildren to set aside the two quitclaim deeds, alleging that Robert's and Juanita's estates did not receive adequate consideration for their interest in the property. One of the grandchildren, Earle L. Beason, contested the Department's claims.

The Department and Earle L. filed cross-motions for summary judgment. Earle L. argued that the Department's claims were barred by the statute of limitations and, in the alternative, that Robert and Juanita received adequate consideration for their interest in the property. Earle L. asserted that a 1988 oral agreement, whereby Robert and Juanita agreed to transfer the property to avoid a lawsuit for injuries Earle L. sustained on the property, provided adequate consideration. He also alleged that contributions he made to maintain the property provided adequate consideration.

The district court granted the Department's motion and denied Earle L.'s motion. Earle L. appealed the decision to the Idaho Supreme Court, reasserting the arguments that the Department's action was untimely and that he provided adequate consideration to Robert and Juanita in exchange for the interest they transferred to him.

The Court affirmed the district court's grant of summary judgment. The Court first concluded that the four-year catch-all limitation period in Idaho Code section 5-224 applied to the Department's claims because the limitation period on those claims was not otherwise provided for in another statute. The Department's claims were timely filed within the four-year limitation period. The Court then concluded that the district court erred by refusing to consider evidence of the 1988 agreement based on the statute of frauds. Nonetheless, the Court held that Earle L. did not establish a genuine issue of material fact regarding adequate consideration. Evidence of the 1988 agreement was not admissible due to a lack of foundation. Earle L.'s statements concerning his personal contributions to maintain the property were insufficient because they were conclusory and omitted information necessary for Earle L. to raise a genuine issue.

\*\*\*This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.\*\*\*