

NORTH CAROLINA GENERAL ASSEMBLY  
1973 SESSION

CHAPTER 1031  
HOUSE BILL 1228

AN ACT TO AMEND ARTICLE 2, PART 5 OF CHAPTER 108 OF THE GENERAL STATUTES, TO PROVIDE FOR RECOVERY FROM CERTAIN PERSONS FUNDS PAID FOR MEDICAL ASSISTANCE.

The General Assembly of North Carolina enacts:

**Section 1.** A new section is hereby added at the end of Article 2, Part 5 of Chapter 108 of the General Statutes, as follows:

**"§108-61.2. Subrogation rights, withholding of information a misdemeanor.** — (a) To the extent of payments under this Part, the county involved shall be subrogated to all rights of recovery, contractual or otherwise, of the beneficiary of assistance under this Part against any person. It shall be the responsibility of the county commissioners, with such cooperation as they shall require from the county board of social services and the county director of social services, to enforce this section through the services of the county attorney in accordance with attorneys' fee arrangements approved by the State Board of Social Services. The United States and the State of North Carolina shall be entitled to share in each net recovery under this section. Their shares shall be promptly paid under this section and their proportionate parts of such sum shall be determined in accordance with the matching formulas in use during the period for which assistance was paid to the recipient.

(b) It shall be a misdemeanor for any person seeking or having obtained assistance under this Part for himself or another to willfully fail to disclose to the county department of social services or its attorney the identity of any person or organization against whom the recipient of assistance has a right of recovery, contractual or otherwise."

**Sec. 2.** This act shall become effective October 1, 1974.

In the General Assembly read three times and ratified, this the 22nd day of March, 1974.