

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 664
SENATE BILL 847

AN ACT TO PROVIDE THAT THE ACCEPTANCE OF MEDICAID CONSTITUTES AN ASSIGNMENT TO THE STATE OF RIGHT TO THIRD PARTY INSURANCE BENEFITS AND TO PRESCRIBE PROCEDURE FOR RECOVERY OF SAID BENEFITS.

The General Assembly of North Carolina enacts:

Section 1. Part 5 of Article 2 of Chapter 108 of the General Statutes of North Carolina is hereby amended by adding a new section immediately following G.S. 108-61.2, to be numbered G.S. 108-61.3, and to read as follows:

"§ 108-61.3. Acceptance of medical assistance constitutes assignment to the State of right to third party insurance benefits; recovery procedure. — (a) By accepting medical assistance, the recipient shall be deemed to have made an assignment to the State of the right to third party insurance benefits to which he may be entitled.

(b) The responsible State agency shall disseminate the contents of this bill to all involved parties; the county government agencies, all Medicaid eligibles, all providers, and all insurance companies doing business in North Carolina.

(c) Since the ratio of dollars collected to State agency staff employed exceeds 10 to one, the responsible State agency will establish a third party resources collection unit that is adequate to assure maximum collection of third party resources."

Sec. 2. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 21st day of June, 1977.