



2017-2018 General Assembly

SENATE BILL 257: Appropriations Act of 2017, Sec. 11H.23: Medicaid Subrogation Rights Conforming Changes

Committee:
Introduced by:
Analysis of: Sec. 11H.23 of S.L. 2017-57

Date: August 22, 2017
Prepared by: Jennifer Hillman
Staff Attorney

OVERVIEW: *Sec. 11H.23 of S.L. 2017-57 pertains to the Medicaid program's subrogation to a Medicaid beneficiary's right to recover from a third party in cases of personal injury or wrongful death, meaning that the Medicaid program may receive a share of a Medicaid beneficiary's recovery when Medicaid paid for services provided as a result of the injury. Medicaid subrogation is required by federal law, and changes to this federal law are scheduled to become effective October 1, 2017. The changes to federal law will require changes to the North Carolina Medicaid subrogation statute. This section amends the current North Carolina statute pertaining to Medicaid subrogation only if the changes to federal law take effect as planned on October 1, 2017. The changes to the North Carolina statute pertain to the amount of the lien that the Medicaid program has on the Medicaid beneficiary's recovery from a third party.*

This section became effective July 1, 2017, and the changes required by the section will become effective if federal law changes take effect on October 1, 2017.

Karen Cochrane-Brown
Director



S 2 5 7 - S M T R - 4 8 S L - V - 2

Legislative Analysis
Division
919-733-2578