



2017-2018 General Assembly

SENATE BILL 99: Appropriations Act of 2018, Sec. 11H.6: Conform to Federal Repeal of Medicaid Subrogation Provisions

Committee:		Date:	July 26, 2018
Introduced by:		Prepared by:	Jennifer Hillman Staff Attorney
Analysis of:	Sec. 11H.6 of S.L. 2018-5		

OVERVIEW: *Sec. 11H.6 of S.L. 2018-5 repeals Sec. 11H.23 of S.L. 2017-57, which made changes to the State Medicaid subrogation laws to conform to the federal law changes that took effect October 1, 2017. On February 9, 2018, the federal law changes that had taken effect on October 1, 2017, were retroactively repealed. This section retroactively repeals the changes to the State law made in S.L. 2017-57, in conformance with the federal retroactive repeal. Medicaid subrogation refers to a process where the Medicaid program recovers amounts that Medicaid paid for care to a recipient when the recipient later receives a settlement or other compensation from a third party who is liable for the cost of the care. For subrogation recovery cases that may have been adversely affected by the change in federal and State law and the retroactive repeal of those laws, this section provides a process for seeking relief.*

The portion of this Section that repeals Sec. 11H.23 of S.L. 2017-57, is retroactively effective to July 1, 2017. The remainder of this section became effective June 12, 2018.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578