

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 386
HOUSE BILL 552

AN ACT TO CLARIFY THE MEDICAID LAW REGARDING THE FINANCIAL RESPONSIBILITY OF PARENTS FOR CHILDREN UNDER TWENTY-ONE IN MEDICAL INSTITUTIONS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 108A is amended by inserting a new section to read:

"§ 108A-61.1. Financial responsibility of a parent for a child under age 21 in a medical institution.

Notwithstanding any other provisions of the law, for the purpose of determining eligibility for medical assistance under Title XIX of the Social Security Act, 42 U.S.C. § 1396 et seq., the income and financial resources of the natural or adoptive parents of a person who is under the age of 21 and who requires Medicaid covered services in a medical institution shall not be counted if the patient's physician certifies, and the Division of Medical Assistance or its agents approve, that continuous care and treatment are expected to exceed 12 months. For purposes of this subsection, 'medical institution' means licensed acute care inpatient medical facilities providing medical, surgical, and psychiatric or substance abuse treatment, or facilities providing skilled or intermediate care, including intermediate care for the mentally retarded."

Sec. 2. G.S. 143-127.1(d) is repealed.

Sec. 3. This act becomes effective October 1, 1993, and applies to determination of eligibility made on or after that date.

In the General Assembly read three times and ratified this the 18th day of July, 1993.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives