

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 539\*

Short Title: Parent/Child Hospital Resp.

(Public)

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Sponsors: Senator Ballance.

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Referred to: Children and Human Resources.

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March 24, 1993

A BILL TO BE ENTITLED

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 G.S. 143-127.1(d) is repealed.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