

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 835
Second Edition Engrossed 5/10/95

Short Title: Recover State Medical Care Costs.

(Public)

Sponsors: Representatives Cansler, Black; Arnold, W. Brown, Church, Clary, Daughtry, Hill, Locke, Redwine, Tolson, Wainwright, Wilkins, and C. Wilson.

Referred to: Judiciary I.

April 11, 1995

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE GENERAL STATUTES RELATING TO CIVIL ACTIONS
3 BROUGHT TO RECOVER FROM THIRD PARTIES STATE FUNDS EXPENDED
4 ON MEDICAL CARE.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 130A-13 is amended by adding the following new subsection
7 to read:

8 "(d) Notwithstanding any other law to the contrary, in all actions brought by the
9 State pursuant to subsection (a) of this section to obtain reimbursement for payments for
10 medical services, liability shall be determined on the basis of the same laws and
11 standards, including bases for liability and applicable defenses, as would be applicable if
12 the action were brought by the individual on whose behalf the medical services were
13 rendered."

14 Sec. 2. G.S. 108A-59 is amended by adding the following new subsection to
15 read:

16 "(c) Notwithstanding any other law to the contrary, in all actions brought pursuant
17 to subsection (a) of this section to obtain reimbursement for payments for medical
18 services, liability shall be determined on the basis of the same laws and standards,

1 including bases for liability and applicable defenses, as would be applicable if the action
2 were brought by the individual on whose behalf the medical services were rendered."

3 Sec. 3. This act is effective October 1, 1995, and applies to actions pending or
4 commencing on and after that date.