

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 729

Short Title: Recover State Medical Care Costs.

(Public)

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Sponsors: Senator Kerr.

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Referred to: Judiciary II/Election Laws

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April 17, 1995

A BILL TO BE ENTITLED

AN ACT TO AMEND THE GENERAL STATUTES RELATING TO CIVIL ACTIONS  
BROUGHT TO RECOVER FROM THIRD PARTIES STATE FUNDS EXPENDED  
ON MEDICAL CARE.

The General Assembly of North Carolina enacts:

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

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

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

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

1           Sec. 3. This act is effective upon ratification and applies to actions pending or  
2 commencing on and after that date.