

HOUSE OF REPRESENTATIVES

Olympia, Washington

Bill Analysis

Bill No. HB 2133

Claiming proceeds covered on behalf
recipient of state assistance.

Bill Title

Hearing Date 2/26/99

Reps Romer and McMorris

Sponsor(s)

Staff Steve Andin

State Government Committee

Phone 786-7127

BACKGROUND:

The state is subrogated to the rights of an injured person against the tortfeasor who caused the injury or illness as the result of negligence or other wrong, or the tortfeasor's insurer for purposes of being reimbursed for the costs of medical care provided to that person under public assistance programs for residential care provided to that person in a state psychiatric hospital or a rehabilitation center for the developmentally disabled. An attorney representing the person in an action against the party shall notify the department at the time of filing and commence negotiations for settlement, acceptance of settlement from the tortfeasor or the tortfeasor's insurer. The Department of Social and Health Services shall be given 30 days notice before such a judgment award or settlement may be satisfied.

SUMMARY:

Proceeds from a judgment award or settlement over the subrogated rights of the state for injured persons who receive public assistance care at a state psychiatric hospital or a rehabilitation center for the developmentally disabled shall be necessary to satisfy the Department's claim against recovery placed in a trust account in the register of the court in the Department's name.

FISCAL NOTE: Not requested.

EFFECTIVE DATE: Ninety days after adjournment of session in which bill is passed.