

FINAL BILL REPORT

SB 5954

C 55 L 99

Synopsis as Enacted

Brief Description: Claiming the proceeds recovered on behalf of recipients of state assistance.

Sponsors: Senators Kline, Eide and Thibaudeau; by request of Department of Social and Health Services.

Senate Committee on Health & Long-Term Care

House Committee on Health Care

Background: The Department of Social and Health Services (DSHS) requests legislation to assist it in its recoument of benefits paid. The Medical Assistance Administration seeks to augment statutory provisions that enable the department to collect its subrogation interest in tort recoveries collected by individuals receiving Medicaid. Present law requires notice to DSHS when an individual recovers personal injury damages. In some cases, despite notice, DSHS has not recouped any benefits from personal injury monies because the money has been disbursed.

Summary: If a person receives Medicaid money because of injury caused by the negligence or wrongdoing of another, and the person recovers money from personal injury litigation, the personal injury money, in an amount necessary to fully satisfy the department's lien, must be placed in a trust account or the registry of the court until the lien is satisfied. In addition to Medicaid money, the trust account provision applies to costs for residential care at a hospital for the mentally ill or a habilitative care center for the developmentally disabled.

Votes on Final Passage:

Senate	45	0
House	90	0

Effective: July 25, 1999