

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 814 by Representative James

MEDICAID: Extends right of Medicaid recovery in cases of third party liability for injury, illness, or death to Medicaid managed care organizations that provide covered services to Medicaid enrollees

Synopsis of Senate Amendments

1. Added requirement that DHH or a Medicaid managed care organization shall be responsible for the pro rata share of the attorney fees for any person or his spouse, representative, or dependent for the recovery of damages or compensation.
2. Added technical amendments.

Digest of Bill as Finally Passed by Senate

Present law provides that in cases of injury, illness, or death that create third party liability or obligate third party payment of damages, the Department of Health and Hospitals (DHH) shall have a cause of action against such third party to recover medical assistance payments obligated or paid on behalf of the injured, ill, or deceased person in connection with the injury, illness, or death. Provides for notice, pleadings, compromise, and prescription in such recovery cases.

Proposed law retains present law and extends the right of Medicaid recovery conferred therein upon DHH to Medicaid managed care organizations.

Proposed law provides that DHH or a Medicaid managed care organization shall be responsible for the pro rata share of the attorney fees for any person or his spouse, representative, or dependent for the recovery of damages or compensation.

Proposed law defines "Medicaid managed care organization" as any private entity that contracts with DHH to provide Medicaid benefits and services to Medicaid enrollees.

(Amends R.S. 46:446)