

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

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



DIGEST

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 DHH or 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)

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Changed inconsistent references to assistance and medical payments to the phrase "medical assistance payments".
2. Specified that DHH, a Medicaid managed care organization, or both, shall have a cause action to recover medical assistance payments.
3. Added technical amendments.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the reengrossed bill

1. Adds DHH or 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.