

Introduced: 2/8/84  
Referred: Health, Education and  
Social Services and  
Finance

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

1 IN THE SENATE

2 SENATE BILL NO. 424 am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to recovery of medical assistance  
7 expenses; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 47.05 is amended by adding a new section to read:

10 Sec. 47.05.070. SUBROGATION. (a) If the department provides or  
11 pays for medical assistance for injury or illness under this title,  
12 the department is subrogated to the rights of the recipient of that  
13 medical assistance for any claim arising from the injury or illness  
14 and to the proceeds of an insurance policy covering the injury or  
15 illness to the extent of the value of the medical assistance provided.

16 (b) If a recipient of medical assistance under this title set-  
17 tles a claim or obtains an award or judgment arising from the injury  
18 or illness for which the medical assistance was received, the depart-  
19 ment shall reimburse the recipient for attorney fees and costs commen-  
20 surate with the amount of the settlement, award, or judgment to which  
21 the department is entitled under (a) of this section. The reimburse-  
22 ment of attorney fees authorized by this section shall not exceed the  
23 partial compensation provided for in the applicable rules of court  
24 governing the award of attorney fees in civil matters.

25 \* Sec. 2. This Act takes effect immediately in accordance with AS 01.-  
26 10.070(c).