

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2

HOUSE BILL NO. 366

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

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

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

9 * Section 1. AS 47.05.070(b) is amended to read:

10 (b) If the department provides or pays for medical assistance
11 for injury or illness under this title, the department is subrogated
12 to the rights of the recipient of that medical assistance for any
13 claim arising from the injury or illness and to the proceeds of an
14 insurance policy covering the injury or illness to the extent of the
15 value of the medical assistance provided. The recipient must notify
16 the department in writing of any action or claim against a third party
17 if the medical assistance was provided because of an injury or ill-
18 ness for which the third party is potentially liable. A medical
19 provider must notify the department in writing when the provider files
20 a lien for unpaid medical bills against a judgment, award, or
21 settlement obtained by or on behalf of a recipient of medical
22 assistance under this title. The department's rights under this
23 section have priority over a lien filed by a medical provider.

24 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).