



CHAPTER 108A

ARTICLE 2 - PROGRAMS OF PUBLIC ASSISTANCE

N.C.G.S. § 108A-59.

Acceptance of medical assistance constitutes assignment to the State of right to third party benefits; recovery procedure.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 1997-443, s. 11A.118(a) — fifth act in the lineage	21 September 2026, 04:20 UTC	8bc3276b61ca61b3ec3838c1 - 6187e28a85a63e6841292cf0 - ad8847de7fb5f7e4

§ 108A-59(a) Notwithstanding any other provisions of the law, by accepting medical assistance, the recipient shall be deemed to have made an assignment to the State of the right to third party benefits, contractual or otherwise, to which he may be entitled.

It shall be the responsibility of the county attorney of the county from which the medical assistance benefits are received or an attorney retained by that county and/or the State to enforce this subsection, and said attorney shall be compensated for his services in accordance with the attorneys' fee arrangements approved by the Department of Health and Human Services.

§ 108A-59(b) The responsible State agency will establish a third party resources collection unit that is adequate to assure maximum collection of third party resources.

§ 108A-59(c) Notwithstanding any other law to the contrary, in all actions brought pursuant to subsection (a) of this section to obtain reimbursement for payments for medical services, liability shall be determined on the basis of the same laws and standards, including bases for liability and applicable defenses, as would be applicable if the action were brought by the individual on whose behalf the medical services were rendered.

APPARATUS I
5 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

197719871997

TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
01	1977	c. 664	ENACTED
02	1979	2nd Sess., c. 1312, ss. 3-5	AMENDED
03	1981	c. 275, s. 1	AMENDED
04	1995	c. 508, s. 2	AMENDED
05	1997	S.L. 1997-443, s. 11A.118(a)	AMENDED

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 108A-59 (1997).

PINPOINT

N.C. Gen. Stat. § 108A-59(a) (1997).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1977, c. 664; 1979, 2nd Sess., c. 1312, ss. 3-5; 1981, c. 275, s. 1; 1995, c. 508, s. 2; 1997-443, s. 11A.118(a).)

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