



CHAPTER 108A

ARTICLE 2 - PROGRAMS OF PUBLIC ASSISTANCE

N.C.G.S. § 108A-70.

Recoupment of amounts spent on medical care.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	No amendment history on record	21 September 2026, 04:20 UTC	7ae1b56174332ccae33c3432 - 785ff18e0502784957ab8c5 - b7027dec6ad5fac3

§ 108A-70(a)

To the extent necessary to reimburse the Department or a PHP for expenditures for costs under this Part, and provided that claims for current and past due child support shall take priority over claims for those expenditures, the Department may garnish the wages, salary, or other employment income of, and the Secretary of Revenue shall withhold amounts from State tax refunds to, any person who meets all of the following criteria:

- (1) Is required by court or administrative order to provide health benefit plan coverage for the cost of health care services to a child eligible for medical assistance under Medicaid.
- (2) Has received payment from a third party for the costs of such services.
- (3) Has not used such payments to reimburse, as appropriate, either the other parent or guardian of the child or the provider of the services.

§ 108A-70(b)

To the extent that payment for covered services has been made under G.S. 108A-55 for health care items or services furnished to an individual, in any case where a third party has a legal liability to make payments, the Department of Health and Human Services is considered to have acquired the rights of the individual to payment by any other party for those health care items or services. (1993 (Reg. Sess., 1994), c. 644, s. 3; 1997-443, s. 11A.118(a); 2019-81, s. 5.)

APPARATUS II
1 AUTHORITY

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 108A-55	(b)	"covered services has been made under"

APPARATUS III

Citation

FULL SECTION
N.C. Gen. Stat. § 108A-70 (2026).

PINPOINT
N.C. Gen. Stat. § 108A-70(a) (2026).

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

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