



CHAPTER 143

ARTICLE 7 - PERSONS ADMITTED TO DEPARTMENT OF HEALTH AND HUMAN SERVICES INSTITUTIONS TO PAY COSTS

N.C.G.S. § 143-126.

Death of a person admitted; lien on estate.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT c. 508, s. 11 — fourth act in the lineage	RETRIEVED 21 September 2026, 04:20 UTC	SOURCE FINGERPRINT f551536869407df3c4f4d180 - 7623a920d72e4800dade14dd - 29b1f2e94574bf5c
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§ 143-126(a) In the event of the death of person admitted, leaving any cost of care unpaid, then the unpaid cost shall constitute a lien on all property, both real and personal of the decedent and shall be payable from the decedent's estate as a fourth class claim after the payment of taxes to the State or its subdivisions.

§ 143-126(b) Upon the death of person admitted, the Department shall file a verified statement of account containing the following:

- (1) The name of the person admitted;
- (2) The date of death of the person admitted;
- (3) The inclusive dates of the provision of care;
- (4) The name of the institution providing care; and
- (5) The amount of the unpaid balance.

The statement shall be filed in the office of the clerk of superior court in the county of residence of the deceased person admitted and in the county or counties in which real property is located in which the decedent owns an interest. The statement shall be docketed and indexed by the clerk.

§ 143-126(c) From the time of docketing, the statement shall be and constitute due notice of a lien against all real property then owned in whole or in part by the decedent and lying in such county to the extent of the total amount of the unpaid balance for the decedent's care as evidenced by the verified statement of account. Payments made by a fiduciary

including those made by a clerk of superior court, in full or partial satisfaction of such lien, shall constitute a valid expenditure as provided in G.S. 143-119.

§ 143-126(d) No action to enforce such lien may be brought more than three years from the date of death of the person admitted. The failure to bring such action or the failure of the Department to file such statement shall not be a complete bar against recovery but shall only extinguish the lien and priority established by it.

§ 143-126(e) Upon receipt of the unpaid balance by the institution or Department or upon agreement of compromise of such unpaid balance, the Department shall notify the clerks of superior court in the counties where the lien has been recorded that the unpaid balance has been paid, and the clerks shall cancel the lien of record.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
4 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.

1925 1955 1985			
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1925	c. 120, s. 10	ENACTED
02	1967	c. 960	AMENDED
03	1973	c. 476, s. 133	AMENDED
04	1985	c. 508, s. 11	AMENDED

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. 143-119	(c)	"a valid expenditure as provided in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 143-126 (1985).

PINPOINT

N.C. Gen. Stat. § 143-126(a) (1985).

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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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1925, c. 120, s. 10; 1967, c. 960; 1973, c. 476, s. 133; 1985, c. 508, s. 11.)

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