

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 508
HOUSE BILL 835

AN ACT TO AMEND THE GENERAL STATUTES RELATING TO CIVIL
ACTIONS BROUGHT TO RECOVER FROM THIRD PARTIES STATE FUNDS
EXPENDED ON MEDICAL CARE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-13 is amended by adding the following new subsection to read:

"(d) Notwithstanding any other law to the contrary, in all actions brought by the State 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."

Sec. 2. G.S. 108A-59 is amended by adding the following new subsection to read:

"(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."

Sec. 3. This act is effective October 1, 1995, and applies to actions pending or commencing on and after that date.

In the General Assembly read three times and ratified this the 28th day of July, 1995.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives