

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2022

S.P. 759

In Senate, January 12, 1988

Submitted by the Department of Human Services pursuant to  
Joint Rule 24.

Reference to the Committee on Human Resources suggested  
and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator GILL of Cumberland.

Cosponsored by Representative TAYLOR of Camden, Senator  
GAUVREAU of Androscoggin, Representative FARNUM of South  
Berwick.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-EIGHT

AN ACT to Enforce 3rd-Party Liability  
Reimbursement for Medicaid Recipients as  
Required by Title XIX of the Social  
Security Act.

1  
2  
3  
4  
5

6 Be it enacted by the People of the State of Maine as  
7 follows:

8 22 MRSA §14, sub-§§2-D, 2-E and 2-F are enacted  
9 to read:



1 the Maine Revised Statutes, Title 22, section 14,  
2 establish Medicaid as a payor of last resort and  
3 require reimbursement where 3rd-party resources become  
4 available to a Medicaid recipient. Title 22, section  
5 14 constitutes an automatic lien against such  
6 resources. In many cases, damages are recovered on  
7 behalf of a client which include reimbursement for  
8 medical expenses. In those cases where the Medicaid  
9 program already has paid these claims, the department,  
10 under federal and state law, must recover this money.  
11 Often the department is not informed of the pendency  
12 of these claims, thus increasing unnecessary Medicaid  
13 expenditures and reducing the overall resources  
14 available to Medicaid recipients.

15

4509120787