

## Session 117 - (2007-2008)

### H 4719 General Bill, By Huggins

**Similar (S 0669, H 5020)**

**Summary:** Health insurance entities

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 43-7-465 SO AS TO IMPOSE REQUIREMENTS FOR HEALTH INSURANCE ENTITIES RESPONSIBLE FOR PAYMENT OF HEALTH CARE ITEMS OR SERVICES IN THIS STATE; TO AMEND SECTION 43-7-410, AS AMENDED, RELATING TO CERTAIN DEFINITIONS, SO AS TO CHANGE THE TERM "COMMISSION" TO "DEPARTMENT", TO DEFINE "DEPARTMENT" AS THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES, AND TO CHANGE THE DEFINITION OF "THIRD PARTY" TO INCLUDE A CONTRACTUAL BENEFIT THAT OTHERWISE IS FIRST-PARTY COVERAGE; TO AMEND SECTION 43-7-420, AS AMENDED, RELATING TO ASSIGNMENT OF RIGHTS TO THE DEPARTMENT TO RECOVER AN AMOUNT PAID BY MEDICAID TO A THIRD PARTY, SO AS TO PROVIDE THAT PAYMENT OF MEDICAL ASSISTANCE BY MEDICAID CONSTITUTES EVIDENCE OF RECEIPT BY THE BENEFICIARY OF INFORMATION EXPLAINING HIS ASSIGNMENT OF RIGHTS; TO AMEND SECTION 43-7-430, AS AMENDED, RELATING TO SUBROGATION TO THE DEPARTMENT OF RIGHT TO RECOVER FROM A THIRD PARTY, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 43-7-440, AS AMENDED, RELATING TO ENFORCEMENT OF THE DEPARTMENT'S RIGHTS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 43-7-460, AS AMENDED, RELATING TO RECOVERY OF MEDICAL ASSISTANCE PAID FROM CERTAIN ESTATES, SO AS TO REPLACE THE TERM "INSTITUTIONALIZED" WITH REFERENCES TO TYPES OF CARE FOR WHICH RECOVERY CAN BE MADE, TO CHANGE THE HOMESTEAD EXEMPTION TO FIFTY PERCENT OF THE AVERAGE HOME VALUE IN THE COUNTY WHERE THE HOME IS SITUATED, TO IMPOSE A TIME LIMIT ON UNDUE HARDSHIP WAIVERS, TO DEFINE THE TERMS "CHILD", "DISABLED CHILD", AND "GOOD CAUSE", TO REQUIRE A PROBATE COURT OF COMPETENT JURISDICTION AND PERSONAL REPRESENTATIVE OF THE ESTATE OF A NURSING HOME PATIENT WHO DIED IN A NURSING HOME TO NOTIFY THE DEPARTMENT OF THE PATIENT'S DEATH; AND TO MAKE CONFORMING CHANGES AND CORRECT ARCANE LANGUAGE.

**02/20/08 House Introduced and read first time HJ-10**

**02/20/08 House Referred to Committee on Labor, Commerce and Industry HJ-11**

**04/02/08 House Recalled from Committee on Labor, Commerce and Industry HJ-36**

**04/02/08 House Referred to Committee on Medical, Military, Public and Municipal Affairs HJ-36**