

Sec. E.307.3 Title 33, Chapter 19, 33 V.S.A.

§ 1910 LIABILITY OF THIRD PARTIES; LIENS

(b)(1) The agency shall have a lien against the insurer, to the extent of the amount paid by the agency for past medical expenses, on any recovery from the insurer, whenever:

(1) the agency pays medical expenses or renders medical services on behalf of a recipient who has been injured or has suffered an injury, illness, or disease; and

(2) the recipient asserts a claim against an insurer as a result of the injury, illness, or disease.

(2) Effective July 1, 2013, the recipient's insurer or alleged liable party's insurer, if any, shall take reasonable steps to discover the existence of the agency's medical assistance. Payment to the recipient instead of the agency does not discharge the insurer from payment of the agency's claim.

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Sec. E.307.3.1 IMPLEMENTATION OF INSURERS' OBLIGATIONS

(a) The department of Vermont health access shall prepare and distribute an outreach document reminding insurers of their obligations under Sec. E.307.3 of this act. At a minimum, the outreach document will reinforce insurers' obligation to seek out Medicaid liens, and outline reporting requirements, including savings amount achieved. The [outreach document](#) may provide examples of areas of concern and department contact information.

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