

Act No. 429
Public Acts of 1994
Approved by the Governor
January 5, 1995
Filed with the Secretary of State
January 6, 1995

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1994**

Introduced by Senators Geake Dingell Welborn Conroy Berryman and Gougeon

ENROLLED SENATE BILL No. 1318

AN ACT to amend Act No 280 of the Public Acts of 1939 entitled as amended An act to protect the welfare of the people of this state to provide general assistance hospitalization infirmary and medical care to poor or unfortunate persons to provide for compliance by this state with the social security act to provide protection welfare and services to aged persons dependent children the blind and the permanently and totally disabled to administer programs and services for the prevention and treatment of delinquency dependency and neglect of children to create a state department of social services to prescribe the powers and duties of the department to provide for the interstate and intercounty transfer of dependents to create county and district departments of social services to create within certain county departments bureaus of social aid and certain divisions and offices thereunder to prescribe the powers and duties of the departments bureaus and officers to provide for appeals in certain cases to prescribe the powers and duties of the state department with respect to county and district departments to prescribe certain duties of certain other state departments officers and agencies to make an appropriation to prescribe penalties for the violation of the provisions of this act and to repeal certain parts of this act on specific dates as amended being sections 400 1 to 400 119b of the Michigan Compiled Laws by adding section 112a

The People of the State of Michigan enact

Section 1 Act No 280 of the Public Acts of 1939 as amended being sections 400 1 to 400 119b of the Michigan Compiled Laws is amended by adding section 112a to read as follows

Sec 112a (1) An individual is liable to the state for the amount expended by the department under medicaid for medical services for the individual's child if all of the following apply

(a) The individual is required by court or administrative order to provide dependent health care coverage for the child

(b) The child is eligible for medicaid

(c) The individual received payment from a third party for the costs of medical services for the child

(d) The individual failed to reimburse the provider of the medical services either directly or through the custodial parent or guardian of the child

(e) The department expended funds under medicaid for the medical services provided for the child

(2) After notice and an opportunity for an administrative hearing under chapter 4 of the administrative procedures act of 1969 Act No 306 of the Public Acts of 1969 being sections 24 271 to 24 287 of the Michigan Compiled Laws the department shall refer the matter to the department of treasury for collection as a state debt through the offset of state tax refunds and may use the services of the department of treasury to levy the salary wages or other employment income of an individual who has a liability to the state pursuant to subsection (1)

(3) Claims against an individual's income or state tax refund under this section are secondary to claims for current and past due child support

(4) As used in this section "medicaid" means the program of medical assistance established pursuant to section 105

This act is ordered to take immediate effect

Secretary of the Senate

Co Clerk of the House of Representatives

Approved

Governor