

THE SOCIAL WELFARE ACT (EXCERPT)
Act 280 of 1939

400.112a Liability for medicaid services; referral to department of treasury as state debt; claims against tax refund as secondary to claims for child support; "medicaid" defined.

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.

History: Add. 1994, Act 429, Imd. Eff. Jan. 6, 1995

Popular Name: Act 280