

**26-19-4.5 Assignment of rights to benefits.**

- (1)
  - (a) To the extent that medical assistance is actually provided to a recipient, all benefits for medical services or payments from a third party otherwise payable to or on behalf of a recipient are assigned by operation of law to the department if the department provides, or becomes obligated to provide, medical assistance, regardless of who made application for the benefits on behalf of the recipient.
  - (b) The assignment:
    - (i) authorizes the department to submit its claim to the third party and authorizes payment of benefits directly to the department; and
    - (ii) is effective for all medical assistance.
- (2) The department may recover the assigned benefits or payments in accordance with Section 26-19-5 and as otherwise provided by law.
- (3) The assignment of benefits includes medical support and third party payments ordered, decreed, or adjudged by any court of this state or any other state or territory of the United States. That assignment is not in lieu of, and does not supersede or alter any other court order, decree, or judgment.
- (4) When an assignment takes effect, the recipient is entitled to receive medical assistance, and the benefits paid to the department are a reimbursement to the department.

Amended by Chapter 145, 1998 General Session