



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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March 2, 2021

Mr. Speaker,

The Health and Human Services Committee reports a favorable recommendation on **H.B. 389**, MEDICAID RECOVERY AMENDMENTS, by Representative K. Birkeland, with the following amendments:

1. *Page 1, Lines 9 through 16:*

- 9 This bill addresses recovery of Medicaid funds from ~~{ a parent whose child is~~
10 ~~injured in~~
10 ~~foster care }~~ certain third party obligors .
11 Highlighted Provisions:
12 This bill:
13 ▶ prohibits the Department of Health from recovering Medicaid funds from a ~~{~~
14 ~~parent~~
14 ~~whose child suffers certain injuries in foster care if the foster parent a third party is~~
14 ~~obligated to~~
15 ~~pay for the injuries }~~ third party obligor that is required to pay for injuries to a
15 child in foster care ; and
16 ▶ makes technical and conforming changes.

2. *Page 3, Lines 59 through 64:*

- 59 (c) The department may not recover medical assistance under Subsection (1)(a) if:
60 (i) the third party ~~{ is a foster parent who }~~ is obligated to pay the recipient
60 for an injury to
61 the recipient's child that occurred while the child was in the ~~{ legal }~~ physical
61 custody of ~~{ the }~~ a foster parent;
62 and
63 (ii) the child's injury is a physical or mental impairment that requires ongoing

Bill Number



HB0389

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medical
64 attention, or limits activities of daily living, for at least one year.

Respectfully,

Merrill F. Nelson
Chair

Voting: 10-0-3

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