

## **NOTICE TO THE BAR**

### **MEDICAID THIRD-PARTY LIABILITY RECOVERIES – NOTICE TO THE DIVISION OF LAW**

The Attorney General has asked that the bar be reminded of the obligation of counsel to provide timely notice to the Division of Law in cases in which a Medicaid recipient obtains a tort recovery. Pursuant to N.J.S.A. 30:4D-7(k) and N.J.S.A. 30:4D-7.1, the Division of Medical Assistance and Health Services (DMAHS) in the Department of Human Services has the duty to seek reimbursement from third parties for medical expenses paid by Medicaid on behalf of Medicaid recipients.

Notice of the pending settlement should be sent to:

State of New Jersey  
Division of Law  
Hughes Justice Complex; P.O. Box 112  
Trenton New Jersey 08625-0112  
Attention: Medicaid Recovery Unit

Judges have been reminded that when conducting friendly hearings, prior to the funding of any special needs trusts, or at any other time that the court becomes involved in a settlement in which a party is or was a Medicaid recipient, the court is to ensure that notice has been timely provided by counsel to DMAHS and reimbursement made before a settlement can be approved, allocated, distributed and concluded.

Questions can be directed to Kathleen Ross of DMAHS at 609-588-3023. General questions can be referred to Michelle V. Perone, Esq., Chief, Civil Court Programs, Civil Practice Division, in the Administrative Office of the Courts at 609-292-8471.

/s/ Philip S. Carchman

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Philip S. Carchman, P.J.A.D.  
Acting Administrative Director of the Courts

Dated: August 1, 2008