

CHAPTER 119
COMPUTER SELECTION OF PETIT JURORS
S.F. 492

AN ACT relating to the method of selecting petit jurors.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 609.24, Code 1983, is amended to read as follows:
609.24 DETAILS OF DRAWING.

1. ~~The~~ At the time of the drawing the appropriate box shall, at the time of the drawing, be first thoroughly shaken in the presence of the commissioners attending the drawing, and ~~thereupon.~~ Next the seal on the opening of the box shall be broken, likewise in the presence of the commissioners. One of ~~said~~ the commissioners shall then, without looking at the ballots, successively draw the required number of names from the box, and successively pass ~~said~~ the ballots to one of the other commissioners, who shall open ~~said~~ the ballots as they are drawn, and read aloud the names ~~thereon on the ballots,~~ and enter ~~said~~ the names in writing on an appropriate list.

2. Instead of the method provided in subsection 1 for the drawing of ballots, a computer selection process may be used.

Approved May 12, 1983

CHAPTER 120
SUBROGATION CLAIM FOR MEDICAL ASSISTANCE
S.F. 498

AN ACT relating to the liability for a subrogation claim for medical care or expenses through a medical assistance program.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 249A.6, Code 1983, subsections 1, 2, 3, and 5 are amended to read as follows:

1. When payment is made by the department for medical care or expenses through the medical assistance program on behalf of any a recipient, the department shall be is subrogated, to the extent of those payments, to all monetary claims which the recipient may have against third parties as a result of the medical care or expenses received or incurred. No A compromise, including but not limited to a settlement, waiver or release, of any a claim to

which the department is subrogated under this section ~~shall~~ does not defeat the department's right of recovery except pursuant to the written agreement of the commissioner or the commissioner's designee or except as provided in this section.

2. The department shall be given notice of monetary claims against third parties as follows:

a. Applicants for medical assistance shall notify the department of any possible claims against third parties upon submitting the application. Recipients of medical assistance shall notify the department of any possible claims when those claims arise.

b. Any A person who provides health care services to a person receiving assistance through the medical assistance program shall notify the department whenever the person has reason to believe that third parties may be liable for payment of the costs of those health care services.

c. Any An attorney representing an applicant for or recipient of assistance on a claim to which the department is subrogated under this section shall notify the department of the claim of which the attorney has actual knowledge, prior to filing any a claim, commencing any an action or negotiating any a settlement offer.

The mailing and deposit in a United States post office or public mailing box of the notice, addressed to the department at its state or district office location, is adequate legal notice of the claim.

3. The subrogation rights of the department ~~shall be~~ are valid and binding on an attorney, insurer, or other third party only upon notice by the department or unless the insurer or third party has actual notice that the recipient is receiving medical assistance from the department and only to the extent to which ~~such the~~ the attorney, insurer, or third party has not made payment to the recipient or an assignee of the recipient prior to ~~such the~~ the notice. Payment of benefits by an insurer or third party pursuant to the subrogation rights ~~hereunder shall discharge such of this section discharges the attorney~~, insurer, or third party from liability to the recipient or the recipient's assignee to the extent of ~~such the~~ the payment to the department.

5. For purposes of this section the term "third party" includes ~~any an~~ an attorney, individual, institution, corporation, or public or private agency which is or may be liable to pay part or all of the medical costs incurred as a result of injury, disease or disability by or on behalf of an applicant for or recipient of assistance under the medical assistance program.

Approved May 12, 1983