

HOUSE MESSAGE SUMMARY

BILL: SB 562 [S0562.HMS]
SPONSOR: Committee on Fiscal Policy
SUBJECT: Challenger Astronauts Memorial Undergraduate Scholarship Trust Fund
PREPARED BY: Senate Committee on Fiscal Policy
DATE: April 28, 1999

I. Amendments Contained in Message

House Amendment 1 - 184535

II. Summary of Amendments Contained in Message

This amendment, with title amendment, deletes everything after the enacting clause and inserts language that relates to Medicaid third party liability causes of action. This amendment clarifies legislative intent underlying the enactment of the 1994 amendments to the Medicaid benefit recovery law that authorized recovery of funds from certain third parties. It clarifies that recovered funds, including those funds received through the Tobacco Settlement, is not to be made to an individual recipient unless the recipient is named in the judgment, order, or settlement agreement in which the department prevailed.

This amendment is necessary to protect Florida's landmark tobacco settlement from attempts by individuals who might be tempted to seek some specific portion of settlement proceeds for themselves.

Under the terms of this amendment, Individual recipients are free to bring their own cause of action for damages, but they will not and should not be free to piggyback on a case brought by the state.