393.13 PRIVATE INSURANCE POLICIES.

Subdivision 1. **Subrogation.** Upon providing services pursuant to section 252.27, 260B.331, subdivision 2, 260C.331, subdivision 2, or 393.07, subdivision 1 or 2, to any person having private health care coverage, the county agency shall be subrogated, to the extent of the cost of services provided, to any rights the person may have under the terms of any private health care coverage. The right of subrogation does not attach to benefits paid or provided under private health care coverage prior to the receipt of written notice of the exercise of subrogation rights by the carrier issuing the health care coverage.

Subd. 2. **Sue private carrier.** To recover under this section, the county attorney may institute a civil action against the carrier of the private health care coverage.

Subd. 3. **Prorated.** When any amount of money shall be recovered pursuant to this section the county shall pay to the state an amount of the recovery substantially in the proportion in which the state agency has contributed toward the services which were paid by the carrier issuing the health care coverage.

Subd. 4. **Private health care coverage defined.** For the purposes of this section, "private health care coverage" means any policy or plan regulated by chapter 62A, 62C, 62E, or 64B. Private health care coverage also includes any self-insurance plan providing health care benefits.

History: *1979 c 174 s 5; 1985 c 49 s 41; 1987 c 384 art 2 s 89; 1999 c 139 art 4 s 2*