

04-1506 ARKANSAS DEPT. OF HUMAN SERVICES V. AHLBORN

DECISION BELOW: 397 F3d 620

LOWER COURT CASE NUMBER: 03-3377

QUESTION PRESENTED:

Whether federal Medicaid law, which requires that a medical assistance recipient assign to the state any right to payment from a third party who is liable for the recipient's medical expenses, and which also prohibits the placement of a pre-death lien upon a recipient's "property," entitles the state to full reimbursement from personal injury settlement proceeds of Medicaid benefits paid on the recipient's behalf, regardless of what portion of the settlement proceeds are designated as compensation for medical care?

CERT. GRANTED 9/27/2005