

RCW 43.20B.070 Torts committed against recipients of state assistance—Duties of attorney representing recipient—Trust account for departmental lien. (1) An attorney representing a person who, as a result of injuries or illness sustained through the negligence or wrong of another, has received, is receiving, or has applied to receive assistance under chapter 74.09 RCW, or residential care provided by the department at a hospital for the mentally ill or habilitative care center for the developmentally disabled, shall:

(a) Notify the department at the time of filing any claim against a third party, commencing an action at law, negotiating a settlement, or accepting a settlement offer from the tort feisor or the tort feisor's insurer, or both; and

(b) Give the department thirty days' notice before any judgment, award, or settlement may be satisfied in any action or any claim by the applicant or recipient to recover damages for such injuries or illness.

(2) The proceeds from any recovery made pursuant to any action or claim described in RCW 43.20B.060 that is necessary to fully satisfy the department's lien against recovery shall be placed in a trust account or in the registry of the court until the department's lien is satisfied. [1999 c 55 s 1; 1990 c 100 s 8.]

Application—1990 c 100 ss 2, 4, 7(1), 8(2): See note following RCW 43.20B.060.