Chapter does not apply if another party is liable
—Exception—Subrogation—Lien—Reimbursement—Delegation of lien and
subrogation rights. (1) The provisions of this chapter shall not
apply to recipients whose personal injuries are occasioned by
negligence or wrong of another: PROVIDED, HOWEVER, That the director
may furnish assistance, under the provisions of this chapter, for the
results of injuries to or illness of a recipient, and the authority
shall thereby be subrogated to the recipient's rights against the
recovery had from any tort feasor or the tort feasor's insurer, or
both, and shall have a lien thereupon to the extent of the value of
the assistance furnished by the authority. To secure reimbursement for
assistance provided under this section, the authority may pursue its
remedies under RCW 41.05A.070.

(2) The rights and remedies provided to the authority in this
section to secure reimbursement for assistance, including the
authority's lien and subrogation rights, may be delegated to a managed
health care system by contract entered into pursuant to RCW 74.09.522.
A managed health care system may enforce all rights and remedies
delegated to it by the authority to secure and recover assistance
provided under a managed health care system consistent with its
agreement with the authority. [2011 1st sp.s. c 15 § 11; 1997 c 236 §
1; 1990 c 100 § 2; 1987 c 283 § 14; 1979 ex.s. c 171 § 14; 1971 ex.s.
c 306 § 1; 1969 ex.s. c 173 § 8; 1959 c 26 § 74.09.180. Prior: 1955 c
273 § 19.]

Effective date—Findings—Intent—Report—Agency transfer—
References to head of health care authority—Draft legislation—2011
1st sp.s. c 15: See notes following RCW 74.09.010.

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

Severability—Savings—1987 c 283: See notes following RCW
43.20A.020.

Severability—1979 ex.s. c 171: See note following RCW 74.20.300.