

SEC. 24

LOUISIANA DEPARTMENT OF
HEALTH

CASE NO. *062313* DIV.:
19TH JUDICIAL DISTRICT COURT

VERSUS

PARISH OF EAST BATON ROUGE

EDDIE BRADHAM

STATE OF LOUISIANA

PETITION FOR PAYMENT OF MEDICAID ASSISTANCE
PAYMENTS

NOW INTO COURT through undersigned counsel comes the
LOUISIANA DEPARTMENT of HEALTH, hereinafter referred to as
LDH, and on suggesting to the court that:

1.

LDH is the single state agency that operates Louisiana's Medicaid
Program.

2.

Pursuant to federal [42 CFR 433.139(d)] and state laws [LSA-R.S.
46:466], LDH is the payor of last resort and must seek recovery of the
Medical Assistance Payments made on behalf of Louisiana Medicaid
recipients.

3.

LDH now seeks recovery for medical assistance payments made on
behalf of Eddie Bradham.

4.

Venue is proper in East Baton Rouge Parish because LDH is
domiciled in East Baton Rouge Parish and because East Baton Rouge Parish
is where the Medical Assistance Payments were processed/paid.

5.

Eddie Bradham was involved in an automobile accident in the state of
Florida, on July 08, 2007. On October 15, 2012 Eddie Bradham filed suit in
the First Judicial Circuit Court, Okaloosa County, State of Florida, Case No.

2011-CA-2899C based on the injuries he sustained in the July 08, 2007 accident.

6.

As a direct result of the injuries sustained by Eddie Bradham in the July 08, 2007 automobile accident, LDH paid \$64,081.23 in medical assistance payments on behalf of Eddie Bradham for medical expenses incurred in the State of Louisiana from July 31, 2007 through July 22, 2012. An itemization of charges is attached as **Exhibit-LDH 1**.

7.

LDH first gave Eddie Bradham and his attorney notice of LDH's reimbursement interest by letter on July 14, 2014. A copy of the letter giving notice of the reimbursement interest is attached as **Exhibit- LDH 2**.

8.

On May 19, 2017 attorneys for Eddie Bradham informed LDH by letter Eddie Bradham had settled his claims with all defendants for \$1,8750,000.00. On information and belief, Eddie Bradham finalized settlements of his claims on June 06, 2017.

9.

On information and belief, all of the medical assistance payments paid by LDH and listed on Exhibit-LDH 1 are included in the medical expenses/special damages which Eddie Bradham has recovered from the defendants in the Florida proceeding.

10.

To the extent of the Medical Assistance Payments, LDH is owed a reimbursement from the settlement funds received by Eddie Bradham on June 06, 2017.

11.

LDH has not received reimbursement for the \$64,081.23 of Medical Assistance Payments made on behalf of Eddie Bradham.

12.

Upon becoming eligible to receive Medicaid, by law, Eddie Bradham, assigned his right to right to receive payment to LDH.

WHEREFORE, the Louisiana Department of Health prays:

I. For judgment in its favor and against Eddie Bradham for SIXTY FOUR THOUSAND EIGHTY ONE & 23/00 Dollars (\$64,081.23) together with legal interest thereon from date of judicial demand until paid.

Louisiana Department of Health

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