

Bill No. HB 4081

Amendment No. ____

1 and the patient, including a pro rata reduction in the amount
2 of reasonable attorney's fees and costs due the patient's
3 attorney on that portion of the settlement or judgment
4 attributable to the hospital lien and the hospital's attorney.
5 In the event of a claim or action by the patient against a
6 third party for which the settlement or judgment exceeds the
7 debt actually due and owing the hospital but is not adequate
8 to cover the amount actually due and owing the hospital, as
9 well as the patient's attorney's fees and the plaintiff's
10 economic damages excepting the hospital lien, then the
11 settlement or judgment will be equitably distributed based on
12 a pro rata share of the amount due the hospital and the
13 patient, including a pro rata share for the amount of
14 reasonable attorney's fees and costs due the patient's
15 attorney and the hospital's attorney. In the event litigation
16 is filed to recover a plaintiff's damages through settlement
17 or judgment, then the hospital's lien shall be subject to
18 assessment, by reduction, for plaintiff's attorney's fees,
19 which for the lien assessment shall be capped at 25 percent.

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