Bill No. <u>HB 4743</u>

Amendment No. ____

CHAMBER ACTION

<u>Senate</u>   <u>House</u>

1

2

3

4 _____

5

6

7

8

9

10 _____

11 Senator Sullivan moved the following amendment:

12

13 **Senate Amendment (with title amendment)**

14   On page 3, lines 10-16, delete those lines

15

16 and insert: the purposes of ordinances. If the patient has

17 commercial, nongovernmental health insurance coverage through

18 a health maintenance organization at the time care and

19 treatment are delivered, the lien shall be limited to the

20 covered charges in effect at the time care and treatment were

21 delivered. In the event of a claim or action by the patient

22 against a third party in which the settlement or judgment is

23 less than or equal to the debt actually due and owing the

24 hospital, the settlement or judgment will be equitably

25 distributed based on a pro rata reduction in the amount due

26 the hospital and the patient, including a pro rata reduction

27 in the amount of reasonable attorney's fees and costs due the

28 patient's attorney and the hospital's attorney. In the event

29 of a claim or action by the patient against a third party in

30 which the settlement or judgment is greater than the debt

31 actually due and owing the hospital then the settlement or

Bill No. HB 4743

Amendment No. ___

1 judgment will be equitably distributed based on a pro rata

2 share of the amount due the hospital and the patient,

3 including a pro rata share for the amount of reasonable

4 attorney's fees and costs due the patient's attorney and the

5 hospital's attorney.

6

7

8 =============== T I T L E   A M E N D M E N T ===============

9 And the title is amended as follows:

10   On page 2, lines 5-13, delete those lines

11

12 and insert:

13   purpose of such ordinances; providing a limit

14   on the amount of liens against patients who

15   have certain insurance coverage; providing

16   guidelines for pro rata distribution of

17   settlements and judgments;

18

19

20

21

22

23

24

25

26

27

28

29

30

31

4:56 PM   04/30/98   h4743c-22m0a