

hbd-06

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) D. Prewitt offered the following:

Amendment

On page 3, line 16, after the period

insert: The lien is provided as security for, and attaches only for, debts actually due and owing to the hospitals by their patients, and not to any sums that the hospitals could not recover in a direct action against a patient as a result of any contractual arrangement between the patient, the patient's insurer, and the hospital. In the event of an action in tort against a third-party in which the patient or the patient's legal representative is a party and in which the amount of any judgment, award, or settlement from a third-party, after reasonable costs and expenses of litigation, is an amount equal to or less than 200 percent of the amount of the debt owed to the hospital, then distribution of the amount recovered shall be as follows:

1. For purposes of reimbursing the hospital for medical care, treatment or maintenance, the amount deducted for the plaintiff's attorneys fee shall not exceed 25 percent

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Bill No. HB 4743

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1 of the award, judgment or settlement amount form a
2 third-party, after reasonable costs and expenses of
3 litigation, two-thirds of the remaining recovery shall be
4 designated for medical care, treatment, or maintenance
5 provided by the hospital.

6 3. The remaining amount from the recovery shall be
7 paid to the recipient.

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