

1 A bill to be entitled
2 An act relating to Pinellas County and
3 municipalities in Pinellas County; authorizing
4 the Board of County Commissioners of Pinellas
5 County for unincorporated areas and for the
6 boards of the municipalities within Pinellas
7 County to provide by ordinance for liens in
8 favor of all operators of hospitals in Pinellas
9 County and in favor of Pinellas County when it
10 pays for medical care, treatment, or
11 maintenance of qualifying residents of the
12 county and hospitals within such
13 municipalities, respectively, upon all causes
14 of action, suits, claims, counterclaims, and
15 demands accruing to persons to whom care,
16 treatment, or maintenance is furnished by such
17 hospital or is paid for by Pinellas County on
18 behalf of a qualifying resident of the county
19 or accruing to legal representatives of such
20 persons, and upon all judgments, settlements,
21 and settlement agreements entered into by
22 virtue thereof on account of illness, injury,
23 deformity, infirmity, abnormality, disease, or
24 pregnancy giving rise to such causes of action,
25 suits, claims, counterclaims, demands,
26 judgments, settlements, or settlement
27 agreements, and which necessitates such care,
28 treatment, or maintenance; authorizing the
29 Board of County Commissioners of Pinellas
30 County and the board of the Pinellas County
31 municipalities to provide by ordinance for the

1 attachment, perfection, priority, and
2 enforcement of such liens and for such
3 procedural and other matters as may be
4 necessary or appropriate to carry out the
5 purpose of such ordinances; providing a limit
6 on the amount of liens against patients who
7 have certain insurance coverage; providing
8 guidelines for pro rata distribution of
9 settlements and judgments; providing an
10 effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. The Board of County Commissioners of
15 Pinellas County for unincorporated areas of the county and the
16 boards of the municipalities of the cities within Pinellas
17 County are authorized to provide by ordinance for liens in
18 favor of all operators of hospitals in Pinellas County and in
19 favor of Pinellas County when it pays for medical care,
20 treatment, or maintenance of qualifying residents of the
21 county and in such municipalities within Pinellas County upon
22 all causes of action, suits, claims, counterclaims, and
23 demands accruing to persons to whom care, treatment, or
24 maintenance is furnished by such hospital or is paid by
25 Pinellas County on behalf of qualifying residents of the
26 county, or accruing to the legal representative of such
27 persons, and upon all judgments, settlements, and settlement
28 agreements entered into by virtue thereof on account of
29 illness, injury, deformity, infirmity, abnormality, disease,
30 or pregnancy giving rise to such causes of action, suits,
31 claims, counterclaims, demands, judgments, settlements, and

1 settlement agreements, and which necessitated such care,
 2 treatment, or maintenance; and to provide by ordinance by the
 3 municipalities and county for the attachment, perfection,
 4 priority, and enforcement of such liens and for procedural and
 5 other matters as may be necessary or appropriate to carry out
 6 the purposes of ordinances. If the patient has commercial,
 7 nongovernmental health insurance coverage through a health
 8 maintenance organization at the time care and treatment are
 9 delivered, the lien shall be limited to the covered charges in
 10 effect at the time care and treatment were delivered. In the
 11 event of a claim or action by the patient against a third
 12 party in which the settlement or judgment is less than or
 13 equal to the debt actually due and owing the hospital, the
 14 settlement or judgment will be equitably distributed based on
 15 a pro rata reduction in the amount due the hospital and the
 16 patient, including a pro rata reduction in the amount of
 17 reasonable attorney's fees and costs due the patient's
 18 attorney and the hospital's attorney. In the event of a claim
 19 or action by the patient against a third party in which the
 20 settlement or judgment is greater than the debt actually due
 21 and owing the hospital then the settlement or judgment will be
 22 equitably distributed based on a pro rata share of the amount
 23 due the hospital and the patient, including a pro rata share
 24 for the amount of reasonable attorney's fees and costs due the
 25 patient's attorney, the hospital's attorney, and
 26 non-contracted and non-employed physicians.

27 Section 2. This act shall take effect upon becoming a
 28 law.

29
 30
 31