

SB217_L.022

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

SB19-217 be amended as follows:

1 Amend printed bill, page 4, line 6, strike "AT OR BEFORE THE TIME" and
2 substitute "BEFORE".

3 Page 4, line 8, after "PARTY" insert "ORALLY AND IN WRITING".

4 Page 4, line 11, strike "LIEN;" and substitute "LIEN, INCLUDING AN
5 EXPLANATION OF THE LIENHOLDER'S POTENTIAL RIGHTS OF RECOVERY
6 AGAINST THE INJURED PARTY;".

7 Page 4, after line 19 insert:

8 (b) BEFORE AN INJURED PARTY SIGNS AN AGREEMENT CREATING
9 A HEALTHCARE PROVIDER LIEN, A HEALTHCARE PROVIDER OR ITS ASSIGNEE
10 SHALL ADVISE THE INJURED PARTY ORALLY AND IN WRITING:

11 (I) THAT THE HEALTHCARE PROVIDER OR ITS ASSIGNEE IS NOT A
12 HEALTH INSURER OR PAYER OF BENEFITS AS THAT TERM IS DEFINED IN
13 SECTION 10-1-135 (2)(c)(I);

14 (II) THAT EXCEPT IN THE EVENT OF FRAUD BY THE INJURED PARTY,
15 THE LIENHOLDER MAY ONLY ASSIGN TO A COLLECTION AGENCY OR DEBT
16 COLLECTOR AN AMOUNT EQUAL TO THE TOTAL AMOUNT ACTUALLY PAID
17 BY THE LIENHOLDER TO HEALTHCARE PROVIDERS;

18 (III) OF ANY INVOLVEMENT BETWEEN THE LIENHOLDER AND THE
19 INJURED PARTY'S LEGAL COUNSEL; AND

20 (IV) OF ANY INVOLVEMENT BETWEEN THE LIENHOLDER AND ANY
21 HEALTHCARE PROVIDER WHO IS PROVIDING TREATMENT OR WHO MAY
22 PROVIDE TREATMENT TO THE INJURED PERSON UNDER THE TERMS OF THE
23 HEALTHCARE PROVIDER LIEN."

24 Reletter succeeding paragraph accordingly.

25 Page 5, line 2, strike "(1)(b)(I)" and substitute "(1)(c)(I)".

26 Page 6, line 24, strike "(1)(a) AND (1)(b)(II) DOES" and substitute "(1)(a),
27 (1)(b), AND (1)(c)(II) DO".

** *** ** *** **