

SB19-217

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Foote

1 Amend the Health & Human Services Committee Report, dated April 11,
2 2019, page 1, line 11, strike "(b)" and substitute "(b) (I)".

3 Page 1, line 14, strike "(I)" and substitute "(A)".

4 Page 1, line 17, strike "(II)" and substitute "(B)".

5 Page 2, after line 3 insert:

6 "(C) THAT, UNLIKE A HEALTH INSURER OR PAYER OF BENEFITS AS
7 DEFINED IN SECTION 10-1-135 (2)(c)(I), WHICH ARE NOT ENTITLED TO BE
8 REIMBURSED UNTIL AFTER THE INJURED PARTY IS FULLY COMPENSATED,
9 UNDER THE LEIN THE HEALTHCARE PROVIDER OR ITS ASSIGNEE HAS THE
10 RIGHT TO BE REIMBURSED FOR THE FULL AMOUNT OF THE LIEN EVEN IN THE
11 EVENT THAT THE AVAILABLE JUDGMENT, SETTLEMENT, OR INSURANCE
12 COVERAGE IS INSUFFICIENT TO FULLY COMPENSATE THE INJURED PARTY
13 FOR HIS OR HER INJURIES, DAMAGES, AND LOSSES;

14 (D) THAT THE HEALTHCARE PROVIDER OR ITS ASSIGNEE IS NOT
15 REQUIRED TO REDUCE THE AMOUNT OF ITS LIEN TO SHARE IN THE COSTS OR
16 ATTORNEY FEES EXPENDED BY THE INJURED PARTY IN PURSUIT OF HIS OR
17 HER CLAIM FOR DAMAGES;"

18 Page 2, line 4, strike "(III)" and substitute "(E)".

19 Page 2, line 6, strike "(IV)" and substitute "(F)".

20 Page 2, strike line 9 and substitute "HEALTHCARE PROVIDER LIEN.

21 (II) A LIENHOLDER SHALL PROVIDE IN WRITING TO THE INJURED
22 PARTY AN ITEMIZED STATEMENT OF ALL THE BILLED CHARGES FOR
23 TREATMENT THAT THE LIENHOLDER IS CLAIMING ARE SUBJECT TO THE
24 HEALTHCARE PROVIDER LIEN AS THE BILLED CHARGES ARE ACCRUED, TO
25 THE EXTENT PRACTICABLE, AND WHEN THE HEALTHCARE PROVIDER LIEN
26 IS FINAL. THE FINAL ITEMIZED STATEMENT MUST INCLUDE A SUMMARY OF
27 ALL TREATMENTS PROVIDED, THE TOTAL AMOUNTS BILLED FOR EACH
28 TREATMENT, AND THE TOTAL AMOUNT OF THE HEALTHCARE PROVIDER
29 LIEN DUE AND OWING."."

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