

APRIL 9, 1991

CONCURRED IN.

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

House BILL NO. *405*

INTRODUCED BY

Wesley S. Hanson
Stella J. Janssen
Ellison
Rox
Jim Bran
Manchor
Carl Bergquist

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT BENEFITS PAYABLE BY HEALTH SERVICE CORPORATIONS ARE SUBJECT TO THE PHYSICIAN, NURSE, PHYSICAL THERAPIST, OCCUPATIONAL THERAPIST, CHIROPRACTOR, DENTIST, AND HOSPITAL LIEN ACT; AMENDING SECTIONS 71-3-1113 AND 71-3-1118, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 71-3-1113, MCA, is amended to read:

"71-3-1113. Definitions. As used in this part, the following definitions apply:

(1) "Beneficiary" means a person entitled to insurance benefits.

(2) "Insurance" means a contract whereby a person, the insurer, undertakes to indemnify another, the insured, or pay or provide a determinable amount or benefit upon determinable contingencies. The term "insurer" includes a health service corporation.

(3) "Person" means an individual, a corporation, an organization, or other legal entity."

Section 2. Section 71-3-1118, MCA, is amended to read:

"71-3-1118. Applicability. (1) Except as provided in

subsection (2), this part does not apply to compensation awarded to workers for injury, disease, or death pursuant to the Workers' Compensation Act or the Occupational Disease Act of Montana.

(2) This part applies to all payments awarded for medical, therapy, chiropractic, dentistry, and hospital services pursuant to the acts referred to in subsection (1).

(3) This part does not apply to any benefits payable under ~~a policy of life insurance or group life insurance, a contract of disability insurance or~~ an annuity contract or to pension benefits payable under a qualified pension plan."

NEW SECTION. **Section 3.** Effective date. [This act] is effective on passage and approval.

-End-

APPROVED BY COMM. ON
HUMAN SERVICES AND AGING

HOUSE BILL NO. 405

INTRODUCED BY WALLIN, H. HANSON, BARNETT,
HANSEN, S. RICE, CODY, PAVLOVICH, BERGSAGEL,
ELLISON, SPRING, ELLIS, FAGG, TUNBY, LYNCH,
KNOX, D. BROWN, MENAHAN

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT BENEFITS
PAYABLE BY HEALTH SERVICE CORPORATIONS ARE SUBJECT TO THE
PHYSICIAN, NURSE, PHYSICAL THERAPIST, OCCUPATIONAL
THERAPIST, CHIROPRACTOR, DENTIST, AND HOSPITAL LIEN ACT;
AMENDING SECTIONS 71-3-1113 AND 71-3-1118, MCA; AND
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insurer, undertakes to indemnify another, the insured, or
pay or provide a determinable amount or benefit upon
determinable contingencies. The term "insurer" includes a
health service corporation.

(3) "Person" means an individual, a corporation, an

organization, or other legal entity."

Section 2. Section 71-3-1118, MCA, is amended to read:

"71-3-1118. Applicability. (1) Except as provided in
subsection (2), this part does not apply to compensation
awarded to workers for injury, disease, or death pursuant to
the Workers' Compensation Act or the Occupational Disease
Act of Montana.

(2) This part applies to all payments awarded for
medical, therapy, chiropractic, dentistry, and hospital
services pursuant to the acts referred to in subsection (1).

(3) This part does not apply to any benefits payable
under ~~a policy of life insurance or group life insurance, a
contract of disability insurance, or~~ A POLICY OF LIFE
INSURANCE OR GROUP LIFE INSURANCE; A CONTRACT OF DISABILITY
INSURANCE, EXCEPT BENEFITS PAYABLE IN REIMBURSEMENT FOR
SERVICES RENDERED BY A PHYSICIAN, NURSE, PHYSICAL THERAPIST,
OCCUPATIONAL THERAPIST, CHIROPRACTOR, PERSON PRACTICING
DENTISTRY, OR HOSPITAL; OR an annuity contract or to pension
benefits payable under a qualified pension plan."

NEW SECTION. **Section 3.** Effective date. [This act] is
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1 HOUSE BILL NO. 405
 2 INTRODUCED BY WALLIN, H. HANSON, BARNETT,
 3 HANSEN, S. RICE, CODY, PAVLOVICH, BERGSAGEL,
 4 ELLISON, SPRING, ELLIS, FAGG, TUNBY, LYNCH,
 5 KNOX, D. BROWN, MENAHAN
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7 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT BENEFITS
 8 PAYABLE BY HEALTH SERVICE CORPORATIONS ARE SUBJECT TO THE
 9 PHYSICIAN, NURSE, PHYSICAL THERAPIST, OCCUPATIONAL
 10 THERAPIST, CHIROPRACTOR, DENTIST, AND HOSPITAL LIEN ACT;
 11 AMENDING SECTIONS 71-3-1113 AND 71-3-1118, MCA; AND
 12 PROVIDING AN IMMEDIATE EFFECTIVE DATE."
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14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 **Section 1.** Section 71-3-1113, MCA, is amended to read:
 16 "71-3-1113. Definitions. As used in this part, the
 17 following definitions apply:
 18 (1) "Beneficiary" means a person entitled to insurance
 19 benefits.
 20 (2) "Insurance" means a contract whereby a person, the
 21 insurer, undertakes to indemnify another, the insured, or
 22 pay or provide a determinable amount or benefit upon
 23 determinable contingencies. The term "insurer" includes a
 24 health service corporation.
 25 (3) "Person" means an individual, a corporation, an

1 organization, or other legal entity."

2 **Section 2.** Section 71-3-1118, MCA, is amended to read:
 3 "71-3-1118. Applicability. (1) Except as provided in
 4 subsection (2), this part does not apply to compensation
 5 awarded to workers for injury, disease, or death pursuant to
 6 the Workers' Compensation Act or the Occupational Disease
 7 Act of Montana.

8 (2) This part applies to all payments awarded for
 9 medical, therapy, chiropractic, dentistry, and hospital
 10 services pursuant to the acts referred to in subsection (1).

11 (3) This part does not apply to any benefits payable
 12 under ~~a policy of life insurance or group life insurance, a~~
 13 ~~contract of disability insurance, or~~ A POLICY OF LIFE
 14 INSURANCE OR GROUP LIFE INSURANCE; A CONTRACT OF DISABILITY
 15 INSURANCE, EXCEPT BENEFITS PAYABLE IN REIMBURSEMENT FOR
 16 SERVICES RENDERED BY A PHYSICIAN, NURSE, PHYSICAL THERAPIST,
 17 OCCUPATIONAL THERAPIST, CHIROPRACTOR, PERSON PRACTICING
 18 DENTISTRY, OR HOSPITAL; OR an annuity contract or to pension
 19 benefits payable under a qualified pension plan."

20 NEW SECTION. **Section 3.** effective date. [This act] is
 21 effective on passage and approval.

-End-



SENATE COMMITTEE OF THE WHOLE AMENDMENT

March 27, 1991 2:17 pm

Mr. Chairman: I move to amend House Bill No. 405 (third reading copy -- blue) as follows:

1. Title, line 12.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 2, line 22.

Following: line 21

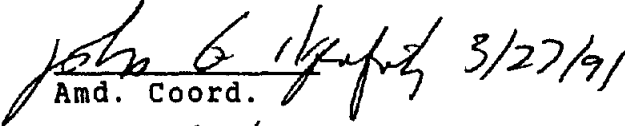
Insert: "NEW SECTION. Section 4. Termination. [This act] terminates [2 years after the effective date of this act]."

ADOPT

REJECT

Signed: _____


Senator Mazurek


Amd. Coord. 3/27/91

SB 3/27
Sec. of Senate

SENATE
HB 405

HOUSE BILL NO. 405

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(3) This part does not apply to any benefits payable under ~~a policy of life insurance or group life insurance, a contract of disability insurance, or~~ A POLICY OF LIFE INSURANCE OR GROUP LIFE INSURANCE; A CONTRACT OF DISABILITY INSURANCE, EXCEPT BENEFITS PAYABLE IN REIMBURSEMENT FOR SERVICES RENDERED BY A PHYSICIAN, NURSE, PHYSICAL THERAPIST, OCCUPATIONAL THERAPIST, CHIROPRACTOR, PERSON PRACTICING DENTISTRY, OR HOSPITAL; OR an annuity contract or to pension benefits payable under a qualified pension plan."

NEW SECTION. **Section 3.** Effective date. [This act] is effective on passage and approval.

NEW SECTION. **SECTION 4. TERMINATION.** [THIS ACT] TERMINATES [2 YEARS AFTER THE EFFECTIVE DATE OF THIS ACT].

-End-

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