## 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

## IN THE HOUSE

	IN THE HOUSE
JANUARY 25, 1991	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & ECONOMIC DEVELOPMENT.
JANUARY 26, 1991	FIRST READING.
FEBRUARY 12, 1991	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 13, 1991	PRINTING REPORT.
FEBRUARY 14, 1991	SECOND READING, DO PASS.
FEBRUARY 15, 1991	ENGROSSING REPORT.
FEBRUARY 16, 1991	THIRD READING, PASSED. AYES, 79; NOES, 18.
	TRANSMITTED TO SENATE.
	IN THE SENATE
FEBRUARY 18, 1991	IN THE SENATE  INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
FEBRUARY 18, 1991	INTRODUCED AND REFERRED TO COMMITTEE
FEBRUARY 18, 1991  MARCH 23, 1991	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.  FIRST READING.  COMMITTEE RECOMMEND BILL BE
MARCH 23, 1991	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.  FIRST READING.  COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.  SECOND READING, CONCURRED IN AS
MARCH 23, 1991 MARCH 27, 1991	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.  FIRST READING.  COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.  SECOND READING, CONCURRED IN AS AMENDED.  THIRD READING, CONCURRED IN.

APRIL 8, 1991 RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS

CONCURRED IN.

APRIL 9, 1991

THIRD READING, AMENDMENTS CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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1	HOUSE BILL NO. 405
2	INTRODUCED BY Walling IS Have Barrett
3	Stella Jandansen Sky Cody Jach Bergoon
4	A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT BENEFITS
5	PAYABLE BY HEALTH SERVICE CORPORATIONS ARE SUBJECT TO THE
6	PHYSICIAN, NURSE, PHYSICAL THERAPIST, OCCUPATIONAL
7	THERAPIST, CHIROPRACTOR, DENTIST, AND HOSPITAL LIEN ACT;
8	AMENDING SECTIONS 71-3-1113 AND 71-3-1118, MCA; AND
9	PROVIDING AN IMMEDIATE EFFECTIVE DATE."

11 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:
- 25 "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-

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## APPROVED BY COMM. ON HUMAN SERVICES AND AGING

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
6	
7	A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT BENEFITS
В	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."
13	
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
2 4	health service corporation.
25	(3) "Person" means an individual, a corporation, an

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;
13	contract-ofdisabilityinsuranceor 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."

Section 2. Section 71-3-1118, MCA, is amended to read: "71-3-1118. Applicability. (1) Except as provided in

organization, or other legal entity."

-End-

effective on passage and approval.

NEW SECTION. Section 3. Effective date. [This act] is

HB 0405/02

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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."
13	
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
24	health service corporation.
25	(3) "Person" means an individual, a corporation, a

HOUSE BILL NO. 405

Section 2. Section 71-3-1118, MCA, is amended to read: 2 3 "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 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--insurancey--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 DENTISTRY, OR HOSPITAL; OR an annuity contract or to pension 18

organization, or other legal entity."

-End-

NEW SECTION. Section 3. Effective date. [This act] is

benefits payable under a qualified pension plan."

effective on passage and approval.

## 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

16h 6 1/4 fr 3/27/91

Sec of Senate

L	HOUSE BILL NO. 403
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
6	
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
LO	THERAPIST, CHIROPRACTOR, DENTIST, AND HOSPITAL LIEN ACT;
11	AMENDING SECTIONS 71-3-1113 AND 71-3-1118, MCA; AND
L 2	PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION
13	DATE."
14	
15	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
16	Section 1. Section 71-3-1113, MCA, is amended to read:
17	"71-3-1113. Definitions. As used in this part, the
18	following definitions apply:
19	(1) "Beneficiary" means a person entitled to insurance
20	benefits.
21	(2) "Insurance" means a contract whereby a person, the
22	insurer, undertakes to indemnify another, the insured, or
23	pay or provide a determinable amount or benefit upon
24	determinable contingencies. The term "insurer" includes a
25	health service corporation.

1	(3) "Person" means an individual, a corporation, an
2	organization, or other legal entity."
3	Section 2. Section 71-3-1118, MCA, is amended to read:
4	"71-3-1118. Applicability. (1) Except as provided in
5	subsection (2), this part does not apply to compensation
6	awarded to workers for injury, disease, or death pursuant to
7	the Workers' Compensation Act or the Occupational Disease
8	Act of Montana.
9	(2) This part applies to all payments awarded for
O	medical, therapy, chiropractic, dentistry, and hospital
1	services pursuant to the acts referred to in subsection (1).
2	(3) This part does not apply to any benefits payable
3	under a-policy-of-life-insurance-or-group-life-insurance;a
4	contractofdisabilityinsurance,or A POLICY OF LIFE
5	INSURANCE OR GROUP LIFE INSURANCE; A CONTRACT OF DISABILITY
6	INSURANCE, EXCEPT BENEFITS PAYABLE IN REIMBURSEMENT FOR
7	SERVICES RENDERED BY A PHYSICIAN, NURSE, PHYSICAL THERAPIST,
8	OCCUPATIONAL THERAPIST, CHIROPRACTOR, PERSON PRACTICING
9	DENTISTRY, OR HOSPITAL; OR an annuity contract or to pension
0	benefits payable under a qualified pension plan."
1	NEW SECTION. Section 3. Effective date. [This act] is
2	effective on passage and approval.
:3	NEW SECTION. SECTION 4. TERMINATION. [THIS ACT]
4	TERMINATES [2 YEARS AFTER THE EFFECTIVE DATE OF THIS ACT].



-End-