## HOUSE BILL NO. 575

# INTRODUCED BY LORY, WINSLOW, ADDY, RAMIREZ

#### IN THE HOUSE

January 29, 1983	Introduced and referred to Committee on Judiciary.	
Pebruary 12, 1983	Committee recommend bill do pass as amended. Report adopted.	
February 14, 1983	Bill printed and placed on members' desks.	
February 15, 1983	Second reading, do pass amended.	
February 16, 1983	Correctly engrossed.	
February 17, 1983	Third reading, passed. Transmitted to Senate.	
IN THE SENATE		
February 18, 1983	Introduced and referred to Committee on Judiciary.	
March 10, 1983	Committee recommend bill be concurred in as amended. Report adopted.	
March 12, 1983	Second reading, concurred in.	

### IN THE HOUSE

Third reading, concurred in.

Ayes, 49; Noes, 0.

March 15, 1983 Returned to House with amendments.

March 15, 1983

March 31, 1983

April 1, 1983

Second reading, amendments concurred in.

Third reading, amendments concurred in.

Sent to enrolling.

Reported correctly enrolled.

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A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A LIEN FOR MEDICAL PRACTITIONERS AND HOSPITALS AGAINST PAYMENTS AWARDED BY THE WORKERS' COMPENSATION DIVISION FOR MEDICAL SERVICES; AMENDING SECTION 71-3-1118, MCA."

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

Section 1. Section 71-3-1118, MCA, is amended to read:

11 "71-3-1118. Applicability. (1) This Except as provided in subsection (2). this part does not apply to any-injury: 12 13 diseasey--or--death--for--which compensation is awarded to workers for injury. disease. or death pursuant to the 14 Workers\* Compensation Act or the Occupational Disease Act of 15

Montana. 16

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

+2+(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 plane"

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HB 0575/02

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HB 0575/02

Approved by Committee on Judiciary

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2	INTRODUCED BY LORY, WINSLOW, ADDY, RAMIREZ
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4	A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A LIEN FOR
5	MEDICAL PRACTITIONERS AND HOSPITALS AGAINST PAYMENTS AWARDED
6	BY THE WORKERS! COMPENSATION DIVISION FOR MEDICAL SERVICES;
7	AMENDING SECTIONS_I1=3-1112_AND 71-3-1118, MCA."
8	
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10	Section 1. Section 71-3-1118, MCA, is amended to read:
11	#71-3-1118. Applicability. (1) This Except as provided
12	in_subsection_(21: this part does not apply to anyinjury:
13	diseasevordeathforwhich compensation is awarded to
14	workers for injurys diseases or death pursuant to the
15	Workers* Compensation Act or the Occupational Disease Act of
16	Montana.
17	(2) This part applies to all payments awarded for
18	medical and hospital services pursuant to the acts referred
19	to_io_subsection_(1)_WITHOUT_LIBITATION_BY_REASON_OF_ANY
20	PROVISION_DE_IIILE_39CHAPTERS_I1_AND_I2.
21	(2)(3) This part does not apply to any benefits
22	payable under a policy of life insurance or group life
23	insurance, a contract of disability insurance, or an annulty
24	contract or to pension benefits payable under a qualified
25	pension plan.

1.	SECTION 2. SECTION 71-3-1112. HCA. IS AMENDED TO READ:
2	*71-3-1112. Purpose. The purpose of this part is to
3	establish lien rights for physicians, nurses, and hospitals
4	when a person receiving medical treatment:
5	(1) is injured through the fault or neglect of
6	another; or
7	(2) is <u>either</u> insured <u>or a beneficiary under</u>
8	insurance."

-End-

48th Legislature HB 0575/03

1	HOUSE BILL NO. 575
2	INTRODUCED BY LORY, WINSLOW, ADDY, RAMIREZ
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A LIEN FOR
5	MEDICAL PRACTITIONERS AND HOSPITALS AGAINST PAYMENTS AWARDED
6	BY THE WORKERS* COMPENSATION DIVISION FOR MEDICAL SERVICES;
7	AMENDING SECTIONS 71-3-1112 AND 71-3-1118. MCA.
8	
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
0	Section 1. Section 71-3-1118, MCA, is amended to read:
1	*71-3-1118. Applicability. (1) This Except as provided
2	in subsection (2), this part does not apply to any-injury
3	diseasevardeathforwhich compensation is awarded to
4	workers for injury. disease. or death pursuant to the
5	Horkers' Compensation Act or the Occupational Disease Act of
6	Montana.
7	(2) This part applies to all payments awarded for
В	medical and bospital services pursuant to the acts referred
9	to_io_subsection_(1):=WiTHOWT-LIMITATION-GY-REASON-OF-ANY
0	PROVESTON-OF-TETLE-39x-EMAPTERS-TE-AND-72.
1	(2)(2) This part does not apply to any benefits
2	payable under a policy of life insurance or group life
3	insurance, a contract of disability insurance, or an annuity

contract or to pension benefits payable under a qualified

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pension plan⋅\*

Ł	SECTION 2. SECTION 71-3-1112. MCA. IS AMENDED TO READ:
2	"71-3-1112. Purpose. The purpose of this part is to
3	establish lien rights for physicians, nurses, and hospitals
•	when a person receiving medical treatment:
5	(1) is injured through the fault or neglect of
•	another; or
7	(2) is <u>either</u> insured <u>or a beneficiary under</u>
3	iosurance.*

-End-

THIRD READING

HB 0575/03

# SENATE STANDING COMMITTEE REPORT (Judiciary)

That House Bill No. 575 be amended as follows:

1. Title, line 7.
 Following: "71-3-1112"
 Strike: "AND"
 Insert: "."

2. Title, line 7. Following: "71-3-1118," Insert: "AND 39-71-743."

Insert: "AND 39-71-7
3. Page 2.

Following: line 8.
Insert: "SECTION 3. SECTION 39-71-743, MCA, IS AMENDED TO READ:

39-71-743. Assignment or attachment of payments.

(1) No payment under this chapter shall be assignable, subject to attachment or garnishment or be held liable

in any way for debts; except as provided in section 71-3-1118, MCA.

(2) After determination that the claim is covered under the workers' compensation or occupational disease acts the liability for payment of the claim is the responsibility of the appropriate workers' compensation insurer. No fee or charge shall be payable by the injured worker for treatment of injuries sustained if liability is accepted by the insurer."

48th Legislature HB 0575/04

HR 0575/04

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4	A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A LIEN FOR
5	MEDICAL PRACTITIONERS AND HOSPITALS AGAINST PAYMENTS AWARDED
0	BY THE WORKERS' COMPENSATION DIVISION FOR MEDICAL SERVICES;
7	AMENDING SECTIONS 39-71-743. 71-3-1112. AND
8	71-3-1118+ MCA.*
9	
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11	Section 1. Section 71-3-1118, MCA, is amended to read:
12	"71-3-1118. Applicability. (1) This Except as provided
13	in subsection [2] tois part does not apply to any-injurys
14	diseasey-or-deathforwhich compensation is awarded to
15	workers for injury. disease. or death pursuant to the
16	Workers* Compensation Act or the Occupational Disease Act of
17	Montana.
18	(2) This part applies to all payments awarded for
19	medical and bospital services pursuant to the acts referred
20	to in subsection (11-Mithout-LimitationBYReasonBEANY
21	<u> </u>
22	(2)(3) This part does not apply to any benefits
23	payable under a policy of life insurance or group life
24	insurance, a contract of disability insurance, or an annuity

contract or to pension benefits payable under a qualified

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1	pension plan.=
2	SECTION 2. SECTION 71-3-1112. MCA. IS AMENDED TO REAL
3	"71-3-1112. Purpose. The purpose of this part is t
4	establish lien rights for physicians, nurses, and hospital
5	when a person receiving medical treatment:
6	(1) is injured through the fault or neglect o
7	another; or
8	(2) is <u>either</u> insured <u>or a beneficiary unde</u>
9	insucace."
10	SECTION 3. SECTION 39-71-743. HCA. IS AMENDED TO READ
11	*39-71-743. Assignment or attachment of payments. £1
12	No payments under this chapter shall be assignable, subjec
13	to attachment or garnishment, or be held liable in any wa
14	for debts*_except_as_provided_io_71=3=1118•
15	(2) After determination that the claim is covere
16	under the Workers Compensation Act or Occupational Diseas
17	Act of Montana: the liability for payment of the claim i
18	the responsibility of the appropriate workers compensation
19	insurer. No fee or charge shall be payable by the injure
20	worker for treatment of injuries sustained if liability i
21	accepted by_the_insurer.**

-End-

HB 575