SENATE BILL NO. 352

INTRODUCED BY KEATING, VOGEL, RYE, SQUIRES, BOHLINGER, CHRISTIAENS, SIMON

IN THE SENATE

FEBRUARY 10, 1993 INTRODUCED AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, WELFARE, & SAFETY.

FIRST READING.

- FEBRUARY 18, 1993 COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
- FEBRUARY 19, 1993 PRINTING REPORT.
- FEBRUARY 20, 1993 SECOND READING, DO PASS.
- FEBRUARY 22, 1993 ENGROSSING REPORT.

THIRD READING, PASSED. AYES, 48; NOES, 0.

TRANSMITTED TO HOUSE.

INTRODUCED AND REFERRED TO COMMITTEE

IN THE HOUSE

FEBRUARY 23, 1993

<u>بو</u>ا

ON BUSINESS & ECONOMIC DEVELOPMENT.

FIRST READING.

- MARCH 15, 1993 COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
- MARCH 27, 1993 SECOND READING, CONCURRED IN.

MARCH 30, 1993 THIRD READING, CONCURRED IN. AYES, 73; NOES, 27.

MARCH 31, 1993 RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

- APRIL 2, 1993 SECOND READING, AMENDMENTS CONCURRED IN.
- APRIL 3, 1993 THIRD READING, AMENDMENTS CONCURRED IN.

SENT TO ENROLLING.

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REPORTED CORRECTLY ENROLLED.

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BILL NO. 352 1 INTRODUCED BY 2 intheme, Merichande Vinn 3 "AN ACT AMENDING THE PHYSICIAN. A BILL FOR AN ACT ENTITLED: 4 THERAPIST, OCCUPATIONAL THERAPIST, NURSE PHYSICAL 5 CHIROPRACTOR, DENTIST, AND HOSPITAL LIEN ACT TO INCLUDE 6 AND LICENSED PSYCHOLOGISTS, LICENSED SOCIAL WORKERS. 7 PROFESSIONAL COUNSELORS; AND AMENDING SECTIONS 71-3-1111, 8 71-3-1112, 71-3-1114, 71-3-1115, 71-3-1117, AND 71-3-1118, 9 MCA." 10

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 12 Section 1. Section 71-3-1111, MCA, is amended to read: 13 "71-3-1111. Short title. This part may be cited as the 14 Physical Therapist, Occupational "Physician, Nurse, 15 Therapist, Chiropractor, Dentist, Psychologist, Licensed 16 Social Worker, Licensed Professional Counselor, and Hospital 17 Lien Act"." 18

Section 2. Section 71-3-1112, MCA, is amended to read: "71-3-1112. Purpose. The purpose of this part is to establish lien rights for physicians, nurses, physical therapists, occupational therapists, chiropractors, persons practicing dentistry, psychologists, licensed social workers, licensed professional counselors, and hospitals when a person receiving medical or other treatment:



(1) is injured through the fault or neglect of another; or

3 (2) is either insured or a beneficiary under
 4 insurance."

5 Section 3. Section 71-3-1114, MCA, is amended to read:

6 *71-3-1114. Liens of physicians, nurses, physical 7 therapists, occupational therapists, chiropractors, persons psychologists, licensed social 8 practicing dentistry. workers, licensed professional counselors, and hospitals. 9 10 (1) Whenever a physician, nurse, physical therapist. occupational therapist, chiropractor, person practicing 11 12 dentistry, psychologist, licensed social worker, licensed professional counselor, or hospital renders services to a 13 14 person injured through the fault or neglect of another, the physician, 15 nurse, physical therapist, occupational therapist, chiropractor, person practicing dentistry. 16 psychologist, licensed social worker, licensed professional 17 18 counselor, or hospital, upon giving the required notice of lien, has a lien for the value of services rendered on: 19 20 (a) any claim or cause of action the injured person, 21 his the person's estate, or successors may have for injury, 22 disease, or death; 23 (b) any judgment the injured person, his the person's 24 estate, or successors may obtain for injury, disease, or

25 death; and

-2- S& 352 INTRODUCED BILL (c) all money paid in satisfaction of such the judgment
 or in settlement of the claim or cause of action.

3 (2) If a person is an insured or a beneficiary under insurance which provides coverage in the event of injury or 4 physical therapist, disease, а physician, nurse, 5 occupational therapist, chiropractor, person practicing б dentistry, psychologist, licensed social worker, licensed 7 professional counselor, or hospital, upon giving the 8 required notice of lien, has a lien for the value of 9 services rendered on all proceeds or payments, except 10 payments for property damage, payable by the insurer. 11

12 (3) The lien is subject to the lien of an attorney
 13 provided in 37-61-420."

Section 4. Section 71-3-1115, MCA, is amended to read: 14 "71-3-1115. Notice of lien. (1) A physician, nurse, 15 physical therapist, occupational therapist, chiropractor, 16 person practicing dentistry, psychologist, licensed social 17 worker, licensed professional counselor, or hospital 18 claiming a lien shall serve written notice upon the person 19 and upon his the insurer, if any, against whom liability for 20 injury, disease, or death is asserted, stating the nature of 21 the services, for whom and when rendered, the value of the 22 services, and that a lien is claimed. 23

24 (2) A physician, nurse, physical therapist,
25 occupational therapist, chiropractor, person practicing

dentistry, <u>psychologist</u>, <u>licensed</u> <u>social</u> <u>worker</u>, <u>licensed</u>
<u>professional</u> <u>counselor</u>, or hospital claiming a lien upon
proceeds or payments payable by an insurer shall serve
written notice upon the insurer against whom the lien is
asserted, stating the nature of the services, for whom and
when rendered, the value of the services, and that a lien is
claimed."

R Section 5. Section 71-3-1117, MCA, is amended to read: *71-3-1117. Liability for failure to recognize lien. If 9 10 any insurer or person, after receiving notice of lien, makes 11 payment on account of injury, disease, or death and the 12 amount of the lien claimed by any physician, nurse, physical 13 therapist, occupational therapist, chiropractor, person practicing dentistry, psychologist, licensed social worker, 14 15 licensed professional counselor, or hospital has not been paid, the insurer or person is liable to the physician, 16 17 nurse, physical therapist, occupational therapist, chiropractor, person practicing dentistry, psychologist, 18 19 licensed social worker, licensed professional counselor, or 20 hospital for the reasonable value of the services."

21 Section 6. Section 71-3-1118, MCA, is amended to read:
22 "71-3-1118. (Temporary) Applicability. (1) Except as
23 provided in subsection (2), this part does not apply to
24 compensation awarded to workers for injury, disease, or
25 death pursuant to the Workers' Compensation Act or the

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1 Occupational Disease Act of Montana.

(2) This part applies to all payments awarded for 2 medical, therapy, chiropractic, dentistry, and hospital 3 services pursuant to the acts referred to in subsection (1). 4 5 (3) This part does not apply to any benefits payable under a policy of life insurance or group life insurance; a 6 contract of disability insurance, except benefits payable in 7 reimbursement for services rendered by a physician, nurse, 8 physical therapist, occupational therapist, chiropractor, 9 person practicing dentistry, or hospital; or an annuity 10 contract or to pension benefits payable under a qualified 11 pension plan. (Terminates April 17, 1993--sec. 4, Ch. 469, 12 13 L. 1991.)

14 71-3-1118. (Effective April 17, 1993) Applicability.
15 (1) Except as provided in subsection (2), this part does not
16 apply to compensation awarded to workers for injury,
17 disease, or death pursuant to the Workers' Compensation Act
18 or the Occupational Disease Act of Montana.

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

23 (3) This part does not apply to any benefits payable
24 under a policy of life insurance or group life insurance, a
25 contract of disability insurance, or an annuity contract or

1 to pension benefits payable under a qualified pension plan."

-End-

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53rd Legislature

INTRODUCED BY TOTALIKI

LC 1041/01 APPROVED BY COMMITTEE ON PUBLIC HEALTH, WELFARE & SAFETY

Aune. 3 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING THE PHYSICIAN, THERAPIST, OCCUPATIONAL THERAPIST, PHYSICAL 5 NURSE, CHIROPRACTOR, DENTIST, AND HOSPITAL LIEN ACT TO INCLUDE 6 7 PSYCHOLOGISTS, LICENSED SOCIAL WORKERS, AND LICENSED PROFESSIONAL COUNSELORS: AND AMENDING SECTIONS 71-3-1111, B 71-3-1112, 71-3-1114, 71-3-1115, 71-3-1117, AND 71-3-1118, 9 MCA." 10

H BILL NO. 352

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

Section 1. Section 71-3-1111, MCA, is amended to read:
"71-3-1111. Short title. This part may be cited as the
"Physician, Nurse, Physical Therapist, Occupational
Therapist, Chiropractor, Dentist, <u>Psychologist, Licensed</u>
<u>Social Worker, Licensed Professional Counselor, and Hospital</u>
Lien Act"."

Section 2. Section 71-3-1112, MCA, is amended to read: "71-3-1112. Purpose. The purpose of this part is to establish lien rights for physicians, nurses, physical therapists, occupational therapists, chiropractors, persons practicing dentistry, <u>psychologists</u>, <u>licensed social</u> <u>workers</u>, <u>licensed professional counselors</u>, and hospitals when a person receiving medical <u>or other</u> treatment: (1) is injured through the fault or neglect of another;
 or

3 (2) is either insured or a beneficiary under
4 insurance."

5 Section 3. Section 71-3-1114, MCA, is amended to read:

6 "71-3-1114. Liens of physicians, nurses, physical 7 therapists, occupational therapists, chiropractors, persons R practicing dentistry, psychologists, licensed social 9 workers, licensed professional counselors, and hospitals. 10 (1) Whenever a physician, nurse, physical therapist, 11 therapist, chiropractor, person practicing occupational 12 dentistry, psychologist, licensed social worker, licensed professional counselor, or hospital renders services to a 13 14 person injured through the fault or neglect of another, the 15 physician. nurse. physical therapist, occupational 16 therapist, chiropractor, person practicing dentistry, 17 psychologist, licensed social worker, licensed professional 18 counselor, or hospital, upon giving the required notice of 19 lien, has a lien for the value of services rendered on: 20 (a) any claim or cause of action the injured person, 21 his the person's estate, or successors may have for injury, 22 disease, or death:

23 (b) any judgment the injured person, his the person's
24 estate, or successors may obtain for injury, disease, or
25 death; and

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SECOND READING

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(c) all money paid in satisfaction of such the judgment
 or in settlement of the claim or cause of action.

(2) If a person is an insured or a beneficiary under 3 insurance which provides coverage in the event of injury or 4 5 disease. а physician. nurse, physical therapist, occupational therapist, chiropractor, person practicing 6 dentistry, psychologist, licensed social worker, licensed 7 professional counselor, or hospital, upon giving the 8 9 required notice of lien, has a lien for the value of services rendered on all proceeds or payments, except 10 payments for property damage, payable by the insurer. 11

12 (3) The lien is subject to the lien of an attorney 13 provided in 37-61-420."

Section 4. Section 71-3-1115, MCA, is amended to read: 14 15 "71-3-1115. Notice of lien. (1) A physician, nurse, physical therapist, occupational therapist, chiropractor, 16 17 person practicing dentistry, psychologist, licensed social 18 worker, licensed professional counselor, or hospital claiming a lien shall serve written notice upon the person 19 20 and upon his the insurer, if any, against whom liability for 21 injury, disease, or death is asserted, stating the nature of 22 the services, for whom and when rendered, the value of the 23 services, and that a lien is claimed.

24 (2) A physician, nurse, physical therapist,
25 occupational therapist, chiropractor, person practicing

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dentistry, <u>psychologist</u>, <u>licensed</u> <u>social</u> <u>worker</u>, <u>licensed</u>
<u>professional</u> <u>counselor</u>, or hospital claiming a lien upon
proceeds or payments payable by an insurer shall serve
written notice upon the insurer against whom the lien is
asserted, stating the nature of the services, for whom and
when rendered, the value of the services, and that a lien is
claimed."

8 Section 5. Section 71-3-1117, MCA, is amended to read: g. *71-3-1117. Liability for failure to recognize lien. If 10 any insurer or person, after receiving notice of lien, makes 11 payment on account of injury, disease, or death and the 12 amount of the lien claimed by any physician, nurse, physical 13 therapist, occupational therapist, chiropractor, person 14 practicing dentistry, psychologist, licensed social worker, 15 licensed professional counselor, or hospital has not been 16 paid, the insurer or person is liable to the physician, 17 nurse, physical therapist, occupational therapist, 18 chiropractor, person practicing dentistry, psychologist, 19 licensed social worker, licensed professional counselor, or 20 hospital for the reasonable value of the services."

21 Section 6. Section 71-3-1118, MCA, is amended to read: 22 "71-3-1118. (Temporary) Applicability. (1) Except as 23 provided in subsection (2), this part does not apply to 24 compensation awarded to workers for injury, disease, or 25 death pursuant to the Workers' Compensation Act or the

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1 Occupational Disease Act of Montana.

2 (2) This part applies to all payments awarded for 3 medical, therapy, chiropractic, dentistry, and hospital 4 services pursuant to the acts referred to in subsection (1). (3) This part does not apply to any benefits payable 5 6 under a policy of life insurance or group life insurance; a contract of disability insurance, except benefits payable in 7 reimbursement for services rendered by a physician, nurse, 8 9 physical therapist, occupational therapist, chiropractor, person practicing dentistry, or hospital; or an annuity 10 11 contract or to pension benefits payable under a qualified pension plan. (Terminates April 17, 1993--sec. 4, Ch. 469, 12 13 L. 1991.)

14 71-3-1118. (Effective April 17, 1993) Applicability.
15 (1) Except as provided in subsection (2), this part does not
16 apply to compensation awarded to workers for injury,
17 disease, or death pursuant to the Workers' Compensation Act
18 or the Occupational Disease Act of Montana.

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

23 (3) This part does not apply to any benefits payable
24 under a policy of life insurance or group life insurance, a
25 contract of disability insurance, or an annuity contract or

1 to pension benefits payable under a qualified pension plan." -End-

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1 INTRODUCED BY 2 Vicin 3 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING THE PHYSICIAN, Æ OCCUPATIONAL 5 NURSE. PHYSICAL THERAPIST, THERAPIST. CHIROPRACTOR, DENTIST, AND HOSPITAL LIEN ACT TO INCLUDE PSYCHOLOGISTS, LICENSED SOCIAL HORKERS. AND LICENSED 7 PROFESSIONAL COUNSELORS; AND AMENDING SECTIONS 71-3-1111. 71-3-1112, 71-3-1114, 71-3-1115, 71-3-1117, AND 71-3-1118, 9 HCA." 10

11

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 12

Section 1. Section 71-3-1111, MCA, is amended to read: 13 "71-3-1111. Short title. This part may be cited as the 14 "Physician, Nurse, Physical Therapist, Occupational 15 Therapist, Chiropractor, Dentist, Psychologist, Licensed 16 Social Worker, Licensed Professional Counselor, and Hospital 17 Lien Act"." 18

Section 2. Section 71-3-1112, MCA, is amended to read: 19 "71-3-1112. Purpose. The purpose of this part is to 20 establish lien rights for physicians, nurses, physical 21 therapists, occupational therapists, chiropractors, persons 22 23 practicing dentistry, psychologists, licensed social workers, licensed professional counselors, and hospitals 24 when a person receiving medical or other treatment: 25

(1) is injured through the fault or neglect of another: οг

٦. (2) is either insured or a beneficiary under insurance."

Section 3. Section 71-3-1114, MCA, is amended to read: 5 *71-3-1114. Liens of physicians, nurses, physical 6 7 therapists, occupational therapists, chiropractors, persons practicing dentistry, psychologists, licensed social . 9 workers, licensed professional counselors, and hospitals. 10 (1) Whenever a physician, nurse, physical therapist, 11 occupational therapist, chiropractor, person practicing 12 dentistry, psychologist, licensed social worker, licensed 13 professional counselor, or hospital renders services to a 14 person injured through the fault or neglect of another, the 15 physician. nurse, physical therapist, occupational therapist, chiropractor, person practicing dentistry, 16 17 psychologist, licensed social worker, licensed professional 18 counselor, or hospital, upon giving the required notice of

> THERE ARE NO CHANGES IN THIS BILL AND WILL NOT BE REPRINTED. PLEASE REFER TO YELLOW COPY FOR COMPLETE TEXT.

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THIRD READING

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HOUSE STANDING COMMITTEE REPORT

March 15, 1993 Page 1 of 1

Mr. Speaker: We, the committee on <u>Business and Economic</u> <u>Development</u> report that <u>Senate Bill 352</u> (third reading copy -- blue) be concurred in as amended .

Signed:

And, that such amendments read:

Carried by: Rep. Simon

1. Page 2, line 22. Page 2, line 24. Page 3, line 21. Page 4, line 11. Following: "disease," Insert: "counseling service,"

2. Page 5, line 3. Following: "dentistry," Insert: "counseling,"

3. Page 5, line 10.
Following: "dentistry,"
Insert: "psychologist, licensed social worker, licensed
 professional counselor,"

-END-

HOUSE

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Committee Vote: Yes 18, No Ø.

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SB 0352/02

1	SENATE BILL NO. 352	1	when a person receiving medical or other treatment:
2	INTRODUCED BY KEATING, VOGEL, RYE, SQUIRES, BOHLINGER,	2	 is injured through the fault or neglect of another;
3	CHRISTIAENS, SIMON	3	or
4		4	(2) is either insured or a beneficiary under
5	A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING THE PHYSICIAN,	5	insurance."
6	NURSE, PHYSICAL THERAPIST, OCCUPATIONAL THERAPIST,	6	Section 3. Section 71-3-1114, MCA, is amended to read:
7	CHIROPRACTOR, DENTIST, AND HOSPITAL LIEN ACT TO INCLUDE	7	71-3-1114. Liens of physicians, nurses, physical
8	PSYCHOLOGISTS, LICENSED SOCIAL WORKERS, AND LICENSED	8	therapists, occupational therapists, chiropractors, persons
9	PROFESSIONAL COUNSELORS; AND AMENDING SECTIONS 71-3-1111,	9	practicing dentistry, psychologists, licensed social
10	71-3-1112, 71-3-1114, 71-3-1115, 71-3-1117, AND 71-3-1118,	10	workers, licensed professional counselors, and hospitals.
11	MCA."	11	(1) Whenever a physician, nurse, physical therapist,
12		12	occupational therapist, chiropractor, person practicing
13	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	13	dentistry, psychologist, licensed social worker, licensed
14	Section 1. Section 71-3-1111, MCA, is amended to read:	14	professional counselor, or hospital renders services to a
15	71-3-1111. Short title. This part may be cited as the	15	person injured through the fault or neglect of another, the
16	"Physician, Nurse, Physical Therapist, Occupational	16	physician, nurse, physical therapist, occupational
17	Therapist, Chiropractor, Dentist, Psychologist, Licensed	17	therapist, chiropractor, person practicing dentistry,
18	Social Worker, Licensed Professional Counselor, and Hospital	18	psychologist, licensed social worker, licensed professional
19	Lien Act"."	19	counselor, or hospital, upon giving the required notice of
20	Section 2. Section 71-3-1112, MCA, is amended to read:	20	lien, has a lien for the value of services rendered on:
21	*71-3-1112. Purpose. The purpose of this part is to	21	(a) any claim or cause of action the injured person,
22	establish lien rights for physicians, nurses, physical	22	his the person's estate, or successors may have for injury,
23	therapists, occupational therapists, chiropractors, persons	23	disease, <u>COUNSELING SERVICE</u> , or death;
24	practicing dentistry, psychologists, licensed social	24	(b) any judgment the injured person, his the person's
25	workers, licensed professional counselors, and hospitals	25	estate, or successors may obtain for injury, disease



- value of services rendered on: cause of action the injured person,
- or successors may have for injury,
- CE, or death;
- he injured person, his the person's may obtain for injury, disease,

-2-SB 352 REFERENCE BILL AS AMENDED

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1 COUNSELING SERVICE, or death; and

2 (c) all money paid in satisfaction of such the judgment
3 or in settlement of the claim or cause of action.

4 (2) If a person is an insured or a beneficiary under insurance which provides coverage in the event of injury or 5 6 disease, a physician, nurse, physical therapist, 7 occupational therapist, chiropractor, person practicing dentistry, psychologist, licensed social worker, licensed 8 9 professional counselor, or hospital, upon giving the required notice of lien, has a lien for the value of 10 11 services rendered on all proceeds or payments, except payments for property damage, payable by the insurer. 12

13 (3) The lien is subject to the lien of an attorney
14 provided in 37-61-420."

Section 4. Section 71-3-1115, MCA, is amended to read: 15 16 "71-3-1115. Notice of lien. (1) A physician, nurse, physical therapist, occupational therapist, chiropractor, 17 person practicing dentistry, psychologist, licensed social 18 worker, licensed professional counselor, or hospital 19 20 claiming a lien shall serve written notice upon the person and upon his the insurer, if any, against whom liability for 21 22 injury, disease, COUNSELING SERVICE, or death is asserted, 23 stating the nature of the services, for whom and when 24 rendered, the value of the services, and that a lien is 25 claimed.

1 (2) A physician. nurse, physical therapist, occupational therapist, chiropractor, person 2 practicing dentistry, psychologist, licensed social worker, licensed 3 professional counselor, or hospital claiming a lien upon 4 proceeds or payments payable by an insurer shall serve 5 6 written notice upon the insurer against whom the lien is 7 asserted, stating the nature of the services, for whom and 8 when rendered, the value of the services, and that a lien is 9 claimed."

10 Section 5. Section 71-3-1117, MCA, is amended to read:

"71-3-1117. Liability for failure to recognize lien. If 11 any insurer or person, after receiving notice of lien, makes 12 payment on account of injury, disease, COUNSELING SERVICE, 13 14 or death and the amount of the lien claimed by any 15 physician, nurse, physical therapist, occupational therapist, chiropractor, person practicing dentistry, 16 psychologist, licensed social worker, licensed professional 17 18 counselor, or hospital has not been paid, the insurer or 19 person is liable to the physician, nurse, physical 20 therapist, occupational therapist, chiropractor, person practicing dentistry, psychologist, licensed social worker, 21 licensed professional counselor, or hospital for 22 the 23 reasonable value of the services."

Section 6. Section 71-3-1118, MCA, is amended to read:
 "71-3-1118. (Temporary) Applicability. (1) Except as

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SB 352

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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.

5 (2) This part applies to all payments awarded for 6 medical, therapy, chiropractic, dentistry, <u>COUNSELING</u>, and 7 hospital services pursuant to the acts referred to in 8 subsection (1).

9 (3) This part does not apply to any benefits payable 10 under a policy of life insurance or group life insurance; a contract of disability insurance, except benefits payable in 11 reimbursement for services rendered by a physician, nurse, 12 13 physical therapist, occupational therapist, chiropractor, person practicing dentistry, PSYCHOLOGIST, LICENSED SOCIAL 14 15 WORKER, LICENSED PROFESSIONAL COUNSELOR, or hospital; or an annuity contract or to pension benefits payable under a 16 qualified pension plan. (Terminates April 17, 1993--sec. 4, 17 Ch. 469, L. 1991.) 18

19 71-3-1118. (Effective April 17, 1993) Applicability.
20 (1) Except as provided in subsection (2), this part does not
21 apply to compensation awarded to workers for injury,
22 disease, or death pursuant to the Workers' Compensation Act
23 or the Occupational Disease Act of Montana.

(2) This part applies to all payments awarded formedical, therapy, chiropractic, dentistry, counseling, and

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hospital services pursuant to the acts referred to in subsection (1).

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

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