

HB 355 -- Health Care Liens

Sponsor: Dempsey

This bill changes the laws regarding health care liens. Currently, hospitals, physicians, and other health care providers whose services have been authorized in advance by the employer or insurer can give notice to the Division of Workers' Compensation in the Department of Labor and Industrial Relations for services provided for a work-related injury. The bill removes the requirement that the services must be authorized in advance by the employer or insurer. Currently, the insurance carrier is allowed to pay the amount due secured by the health care provider's lien directly to the provider if the claimant authorizes it, does not challenge the amount of customary charges, and the health care provider releases the claimant from further liability on the cost of the services and treatment provided. These conditions are removed, and the insurance carrier is required to pay the amount due secured by the health care provider's lien directly to the health care provider.

The bill also allows hospitals and clinics to have a lien on any person entitled to bring a wrongful death action.