

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3829-01
Bill No.: HB 1082
Subject: Health Care; Health Care Professionals; Liability
Type: Original
Date: January 23, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 3 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Administration (COA) - Administrative Hearing Commission, COA - Division of Risk Management/General Services, Department of Labor and Industrial Relations, Missouri Department of Transportation, and Department of Insurance** assume the proposal will have no fiscal impact on their organizations.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

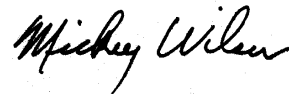
This proposal changes the laws regarding health care liens. Currently, hospitals, physicians, and other health care providers whose services have been authorized in advance by the employer or insurer can give notice to the Division of Workers' Compensation in the Department of Labor and Industrial Relations for services provided for a work-related injury. The proposal 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 proposal also allows hospitals and clinics to have a lien on any person entitled to bring a wrongful death action.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of Administration -
 Division of Risk Management/General Services
 Administrative Hearing Commission
Department of Labor and Industrial Relations
Missouri Department of Transportation
Department of Insurance



Mickey Wilson, CPA
Director
January 23, 2006