

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 3829-03  
Bill No.: HCS for HB 1082  
Subject: Health Care; Health Care Professionals; Liability  
Type: Original  
Date: April 12, 2006

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**FISCAL SUMMARY**

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

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

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 4 pages.

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

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

### FISCAL ANALYSIS

#### ASSUMPTION

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

In response to a previous version of this proposal, the **COA - Administrative Hearing Commission** assumes the proposal would have no fiscal impact on their organization.

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

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

### FISCAL IMPACT - Small Business

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

### DESCRIPTION

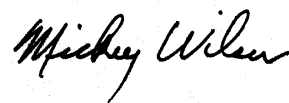
This proposal changes the laws regarding health care liens. Currently, hospitals, physicians, and other health care providers whose services have been authorized in advance by the employer or insurer can give notice to the Division of Workers' Compensation in the Department of Labor and Industrial Relations for services provided for a work-related injury. The 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 or that the treatment provided was for injuries caused by the tort-feasor and the amount is the customary charge.

The proposal also allows hospitals and clinics to have a lien on any person entitled to bring a wrongful death action. Such liens are limited to the recovery of medical expenses incurred for the treatment and injuries of the decedent in an amount equal to the portion of the provider's medical expenses not satisfied from the decedent's estate.

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



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