

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

SENATE BILL 888

By: Morgan

AS INTRODUCED

An Act relating to liens; amending 42 O.S. 2001, Section 43, which relates to hospital liens in personal injury cases; updating language; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 42 O.S. 2001, Section 43, is amended to read as follows:

Section 43. Every hospital in the State of Oklahoma, ~~which shall furnish~~ that furnishes emergency medical or other ~~service services~~ services to any patient injured ~~by reason of~~ in an accident not covered by the Workers' Compensation Act, shall, if ~~such the~~ the injured party ~~shall assert~~ asserts or ~~maintain~~ maintains a claim against another for damages on account of ~~such the~~ the injuries, have a lien ~~upon that part going or belonging to such patient of~~ against any recovery or sum had or collected or to be collected by ~~such the~~ the patient, or by ~~his~~ the patient's heirs, personal representatives or next of kin in the case of ~~his~~ the patient's death, whether by judgment or by settlement or compromise to the amount of the reasonable and necessary charges of ~~such the~~ the hospital for the treatment, care and maintenance of ~~such the~~ the patient in ~~such the~~ the hospital up to the date of payment of ~~such the~~ the damages. Provided, however, ~~that~~ this lien shall be inferior to any lien or claim of any attorney or attorneys for handling the claim on behalf of ~~such the~~ the patient, ~~his~~ the patient's heirs or personal representatives, ~~provided further, that the lien herein set forth,~~ and shall not be

applied or considered valid against any claim for amounts due under the Workers' Compensation Act ~~in this state~~.

SECTION 2. This act shall become effective November 1, 2002.

48-2-2856

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