

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 COMMITTEE SUBSTITUTE

4 FOR

5 SENATE BILL 1975

By: Coffee

6  
7 COMMITTEE SUBSTITUTE

8 An Act relating to public health and safety; amending  
9 Section 4, Chapter 390, O.S.L. 2003 (63 O.S. Supp.  
10 2009, Section 1-1708.1D), which relates to medical  
11 liability actions; defining term; and providing an  
12 effective date.

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

14 SECTION 1. AMENDATORY Section 4, Chapter 390, O.S.L.  
15 2003 (63 O.S. Supp. 2009, Section 1-1708.1D), is amended to read as  
16 follows:

17 Section 1-1708.1D. A. In every medical liability action, the  
18 court shall admit evidence of payments of medical bills made to the  
19 injured party, unless the court makes the finding described in  
20 paragraph B of this section.

21 B. In any medical liability action, upon application of a  
22 party, the court shall make a determination whether amounts claimed  
23 by a health care provider to be a payment of medical bills from a  
24 collateral source, as defined pursuant to paragraph 4 of Section

1 142.3 of Title 21 of the Oklahoma Statutes, is subject to  
2 subrogation or other right of recovery. If the court makes a  
3 determination that any such payment is subject to subrogation or  
4 other right of recovery, evidence of the payment from the collateral  
5 source and subject to subrogation or other right of recovery shall  
6 not be admitted.

7 SECTION 2. This act shall become effective November 1, 2010.

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