

1 ENGROSSED HOUSE  
2 BILL NO. 2023

By: Sullivan of the House

3 and

4 Sykes of the Senate

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7 An Act relating to civil procedure; providing for  
8 admissibility of evidence of actual amounts paid for  
9 medical bills; providing amount that is admissible if  
10 lien is filed; specifying procedure when no payment  
11 is made; establishing date for applicability;  
12 requiring signed statement; providing that statement  
13 is part of the record; providing for codification;  
14 and providing an effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 3009.1 of Title 12, unless there  
18 is created a duplication in numbering, reads as follows:

19 A. Upon the trial of any civil case involving personal injury,  
20 the actual amounts paid for any doctor bills, hospital bills,  
21 ambulance service bills, drug bills and similar bills for expenses  
22 incurred in the treatment of the party shall be the amounts  
23 admissible at trial, not the amounts billed for expenses incurred in  
24 the treatment of the party. Provided, if a medical provider has  
filed a lien in the case for an amount in excess of the amount paid,

1 then bills in excess of the amount paid but not more than the amount  
2 of the lien shall be admissible. If no payment has been made, the  
3 Medicare reimbursement rates in effect when the personal injury  
4 occurred shall be admissible if, in addition to evidence of  
5 nonpayment, a signed statement acknowledged by the medical provider  
6 or an authorized representative that the provider, in consideration  
7 of the patient's efforts to collect the funds to pay the provider,  
8 will accept payment at the Medicare reimbursement rate less cost of  
9 recovery as provided in Medicare regulations as full payment of the  
10 obligation is also admitted. The statement shall be part of the  
11 record as an exhibit but need not be shown to the jury. Provided,  
12 if a medical provider has filed a lien in the case for an amount in  
13 excess of the Medicare rate, then bills in excess of the amount of  
14 the Medicare rate but not more than the amount of the lien shall be  
15 admissible.

16 B. This section shall apply to civil cases involving personal  
17 injury filed on or after November 1, 2011.

18 SECTION 2. This act shall become effective November 1, 2011.  
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1 Passed the House of Representatives the 17th day of March, 2011.

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4 Presiding Officer of the House of  
Representatives

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6 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2011.

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9 Presiding Officer of the Senate