

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB789 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Randy Grau _____

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

PROPOSED
COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 789

By: Sykes of the Senate
and
Grau of the House

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to civil procedure; amending 12 O.S. 2011, Section 3009.1, which relates to admissibility of medical expenses; clarifying admissibility of amounts paid for services in treatment of the injured party; modifying applicability of provisions; and providing an effective date.

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

SECTION 1. AMENDATORY 12 O.S. 2011, Section 3009.1, is amended to read as follows:

Section 3009.1 A. Upon the trial of any civil ~~case involving~~ action arising from personal injury, the actual amounts paid for any services in the treatment of the injured party, including doctor bills, hospital bills, ambulance service bills, drug and other prescription bills and similar bills ~~for expenses incurred in the treatment of the party~~ shall be the amounts admissible at trial, not

1 the amounts billed for such expenses incurred in the treatment of
2 the party. If, in addition to evidence of payment, a party submits
3 a signed statement acknowledged by the medical provider or an
4 authorized representative that the provider ~~in consideration of the~~
5 ~~patient's efforts to collect the funds to pay the provider,~~ will
6 accept the amount paid as full payment of the obligations ~~is also~~
7 admitted, the statement shall be admitted into evidence. The
8 statement shall be part of the record as an exhibit but need not be
9 shown to the jury. ~~Provided, if~~ If a medical provider has filed a
10 lien in the case for an amount in excess of the amount paid, then
11 the bills in excess of the amount paid, but not more than the amount
12 of the lien, shall be admissible.

13 B. If no payment has been made, the Medicare reimbursement
14 rates in effect when the personal injury occurred shall be
15 admissible if, in addition to evidence of nonpayment, a party
16 submits a signed statement acknowledged by the medical provider or
17 an authorized representative that the provider, ~~in consideration of~~
18 ~~the patient's efforts to collect the funds to pay the provider,~~ will
19 accept payment at the Medicare reimbursement rate less cost of
20 recovery as provided in Medicare regulations as full payment of the
21 obligation ~~is also admitted,~~ the statement shall be admitted into
22 evidence. The statement shall be part of the record as an exhibit
23 but need not be shown to the jury. ~~Provided, if~~ If a medical
24 provider has filed a lien in the case for an amount in excess of the

1 Medicare rate, then the bills in excess of the amount of the
2 Medicare rate, but not more than the amount of the lien, shall be
3 admissible.

4 ~~B.~~ C. This section shall apply to civil ~~cases involving~~ actions
5 arising from personal injury filed on or after November 1, ~~2011~~
6 2015.

7 SECTION 2. This act shall become effective November 1, 2015.

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9 55-1-7226 EK 03/26/15

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