

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

HOUSE BILL 1914

By: Jordan

AS INTRODUCED

An Act relating to civil procedure; amending 12 O.S. 2011, Section 3009.1, which relates to admissibility of medical expenses; clarifying language; admitting statement of amount paid instead of amount billed in certain cases; requiring certain Medicare reimbursement statement to be admitted; modifying applicability; 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 doctor bills, hospital bills, ambulance service bills, drug bills and similar bills for expenses incurred in the treatment of the party shall be the amounts admissible at trial, not the amounts billed for expenses incurred in the treatment of the party. If, in addition to evidence of payment, there is a ~~signed~~ statement acknowledged by the medical provider or an authorized representative

1 that the provider ~~in consideration of the patient's efforts to~~
2 ~~collect the funds to pay the provider,~~ will accept the amount paid
3 as full payment of the obligations, the statement is ~~also~~ admitted
4 instead of the amount billed. The statement shall be part of the
5 record as an exhibit but need not be shown to the jury. ~~Provided,~~
6 ~~if~~ If a medical provider has filed a lien in the case for an amount
7 in excess of the amount paid, then bills in excess of the amount
8 paid but not more than the amount of the lien shall be admissible.

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

23 ~~B.~~ C. This section shall apply to civil cases involving
24 personal injury filed on or after November 1, ~~2011~~ 2015.

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

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