

By Mr. O'Leary of Melrose, petition of the Mass. Association of HMOs and Timothy F. O'Leary for legislation to extend hospital liens to include payments made by underinsured and uninsured motor vehicle insurance policies. Insurance.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Ninety-One.

AN ACT TO EXTEND HOSPITAL LIENS TO INCLUDE PAYMENT MADE UNDER UNDERINSURED, UNINSURED AUTOMOBILE INSURANCE COVERAGE.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 111 of the General Laws, as appearing  
2 in the 1988 Official Edition, is hereby amended by striking out  
3 Section 70A and inserting in place thereof the following  
4 Section: —

5 Section 70A. Any person and any city or town maintaining a  
6 hospital licensed under the provisions of section fifty-one, any  
7 hospital located in the commonwealth and operated by the United  
8 States Veterans Administration, any hospital operated by the  
9 commonwealth which furnished medical or other services to any  
10 person injured in an accident not covered by the worker's  
11 compensation act shall, subject to the provisions of sec-  
12 tion seventy B, have a lien for the reasonable and necessary  
13 charges of such hospital, not exceeding, however, the amount  
14 which would be charged in a ward of such hospital, and any health  
15 maintenance organization, hospital, medical, or dental service  
16 corporation which has furnished health services or provided  
17 benefits for covered services furnished to a person injured in such  
18 an accident shall, subject to the provisions of section seventy B,  
19 have a lien for such benefits, upon the net amount payable to such  
20 injured person, his heirs or legal representative out of the total  
21 amount of any recovery or sum had or collected or to be collected,  
22 whether by judgment, or settlement, compromise or arbitration  
23 from another person as compensation on account of such injuries.

