An Act

ENROLLED HOUSE
BILL NO. 2023

By: Sullivan of the House

and

Sykes of the Senate

An Act relating to civil procedure; providing for admissibility of evidence of actual amounts paid for medical bills; providing for admissibility of statement of acceptance of amount paid as full payment; providing amount that is admissible if lien is filed; specifying procedure when no payment is made; establishing date for applicability; requiring signed statement; providing that statement is part of the record; providing for codification; and providing an effective date.

SUBJECT: Medical bills in personal injury cases

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

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

A. Upon the trial of any civil case involving 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, a signed statement acknowledged by the medical provider or an authorized representative that the provider in consideration of the patient's efforts to collect the funds to pay the provider, will accept the amount paid as full payment of the obligations is also admitted. The statement shall be part of the record as an exhibit

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

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

SECTION 2. This act shall become effective November 1, 2011.

Passed the House of Representatives the 3rd day of May, 2011.

Presiding Officer of the House of Representatives

Passed the Senate the 25th day of April, 2011.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Governor this 4th

day of May, **20** 11,

at 3:49 **o'clock** PM.

By: Jenna R Byon

Approved by the Governor of the State of Oklahoma the 10th **day of**

May, **20** 11, **at** 11:47 **o'clock** AM.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this

10th **day of** May, **20** 11,

at 2:49 **o'clock** PM.

By: Michelle R Day