HOUSE DOCKET, NO. 2374 FILED ON: 1/20/2011

HOUSE . . . . . No. 2137

The Commonwealth of Massachusetts

PRESENTED BY:

Garrett J. Bradley

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act providing for the equitable apportionment of certain liens.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Garrett J. Bradley	*3rd Plymouth*

HOUSE DOCKET, NO. 2374 FILED ON: 1/20/2011

HOUSE . . . . . No. 2137

By Mr. Bradley of Hingham, a petition (accompanied by bill, House, No. 2137) of Garrett J. Bradley relative to the enforcement of certain liens in personal injury actions involving hospitals. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *1559* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act providing for the equitable apportionment of certain liens.

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

Section 70A of chapter 111 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the first sentence the following sentence:-

The expense of any attorney's fees and costs incurred in enforcing the liability of the tortfeasor and in obtaining such judgment, compromise or settlement shall be divided between the health maintenance organization, or hospital, medical or dental service corporation and the injured person in proportion to the amounts received by them from any such judgment, settlement or compromise.