

2021 -- H 5988

LC001744

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE--PROCEDURE GENERALLY -- LIENS
AGAINST CAUSES OF ACTION

Introduced By: Representatives Felix, Cassar, Ranglin-Vassell, Alzate, Kazarian,
Giraldo, and Potter

Date Introduced: February 26, 2021

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 9-3-4 of the General Laws in Chapter 9-3 entitled "Liens Against
2 Causes of Action" is hereby amended to read as follows:

3 **9-3-4. Hospital lien on claim for personal injuries.**

4 Every association, corporation, or other institution, including a municipal corporation,
5 maintaining a hospital in the state, which shall furnish medical or other service to any patient
6 injured by reason of an accident not covered by the workers' compensation act, shall, if the injured
7 party shall assert or maintain a claim against another for damages on account of the injuries, have
8 a lien upon that part going or belonging to the patient, of any recovery or sum had or collected or
9 to be collected by the patient, or by his or her heirs or personal representatives in the case of his or
10 her death, whether by judgment or by settlement or compromise, to the amount of the reasonable
11 and necessary charges of the hospital up to the date of payment of the damages; provided, however,
12 that the lien herein set forth shall not be applied or considered valid against anyone coming under
13 the workers' compensation act in this state; and, provided, further, that nothing herein enacted shall
14 be so construed as to give the lien herein created precedence over the lien of an attorney; provided,
15 further, that for purposes of this section, any and all Medicaid reimbursement rates shall be deemed
16 reasonable with respect to any patient who is injured by reason of an accident and who is covered
17 by Medicaid at the time he or she receives any medical or other service provided by a hospital.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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- 1 This act would prohibit a hospital from claiming a lien on any damages recovered by a
- 2 Medicaid patient as a result of an accident not covered by workers' compensation.
- 3 This act would take effect upon passage.

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