

April 3, 2001

S 780. AMEND PHYSICIANS' LIENS. TO CLARIFY THE METHOD BY WHICH PHYSICIANS' LIENS ARE PERFECTED AND THE DUTIES OF ATTORNEYS WITH RESPECT TO PHYSICIANS' LIENS. Article 9 of GS Ch. 44 (GS 44-49 through 44-51) provides a lien upon sums recovered in judgments and settlements in personal injury actions, in favor of any person, corporation, or local government to whom victim is indebted for drugs, medical supplies, ambulance services, or medical services. This bill amends GS 44-49 to require attorney filing a civil action on behalf of such a victim to serve copy of initial summons on any person, corporation, or government entitled to a lien, and provides that the lien holder must file claim with the clerk of court within 30 days after such service. Amends GS 44-50 to provide that client's instructions for disbursement of settlement proceeds are not binding on disbursing attorney, to extent such instructions conflict with disbursement directions in the section. Adds new GS 44-50.1 to permit any health care provider receiving lesser amount from settlement or judgment than total amount claimed by such provider to receive accounting of all settlement or judgment proceeds distributed by person subject to such lien.

Intro. by Hartsell.

Ref. to Judiciary I	GS 44
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April 23, 2001

S 780. AMEND PHYSICIANS' LIENS STATUTES. Intro. 4/3/01. Senate committee substitute makes the following changes to 1st edition. Deletes requirement that attorney bringing action for personal injury serve copy of summons on any person or other entity entitled to lien under statute. Deletes proposed GS 44-50.1, which would have entitled health care provider entitled to lien to information about settlement of suits. Changes effective date from when bill becomes law to Oct. 1, 2001.

July 25, 2001

S 780. AMEND PHYSICIANS' LIENS STATUTES. Intro. 4/3/01. House committee substitute makes the following changes to 2nd edition. Makes technical and stylistic changes only.