

MAINE STATE LEGISLATURE

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N I N E T Y - F I F T H L E G I S L A T U R E

Legislative Document

No. 817

S. P. 350

In Senate, February 21, 1951.

Tabled pending acceptance of either report. New draft ordered printed.

CHESTER T. WINSLOW, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-ONE

AN ACT Relating to Liens on Insurance Policies for Hospitals.

Be it enacted by the People of the State of Maine, as follows:

R. S., c. 56, § 261-A, additional. Chapter 56 of the revised statutes is hereby amended by adding thereto a new section to be numbered 261-A, to read as follows:

'Liens on Policies for Hospitals

Sec. 261-A. Liens on proceeds of accident and liability insurance policies in favor of hospitals. Any hospital which shall furnish medical or other service or materials to any patient injured by reason of any accident not covered by the workmen's compensation act shall have a lien on the proceeds of any accident and liability insurance policy for damages issued by any company authorized to do business in this state, which proceeds may be due to such patient, either directly or indirectly, to the extent of the actual cost of such service and materials, provided such hospital, after commencing to render such service or provide such materials and before payment by such insurance company, shall serve written notice upon such insurance company at its principal home office, if the company issuing such policy shall be located within this state, and upon the insurance commissioner of this state by registered mail if such insurance company shall be located without the state. Such notice shall be in duplicate and shall contain the

name of the injured person, if known, the name of the company or companies issuing such policy and the amount expended and an estimate of the amount to be expended in the services rendered to or the materials provided for such patient. Whenever the liability of such company or companies, either directly or indirectly, to the patient shall have been fixed, such insurance company shall pay directly to the hospital the amount due to it, provided such amount shall be agreed upon by all of the parties interested; and a receipt by such hospital shall be evidence of payment of such amount by such company or companies on account of their liability to the insured. If the interested parties shall not agree concerning the amount due such hospital, either party may bring an action of interpleader to any court having jurisdiction. In the event such patient dies as a result of such injuries and his estate is insolvent, the lien shall become co-extensive with expenses of the funeral and of administration. The provisions of this section shall apply only to accidents which occur on or after the effective date of this section.'