

MAINE STATE LEGISLATURE

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SECOND NEW DRAFT OF S. P. 33—L. D. 18

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. 1409

S. P. 584

In Senate, May 17, 1951.

Reported by Committee on Judiciary and 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 casualty 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 casualty insurance policy for damages issued by any company authorized to do business in this state, which will indemnify a third party for liability 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, the name of the policy holder 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, 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. In the event such patient dies as a result of such injuries and his estate is insolvent, the lien shall become on a parity with expenses of the last sickness. The provisions of this section shall apply only to accidents which occur on or after the effective date of this section.'