

HOUSE No. 1559

The Commonwealth of Massachusetts

PRESENTED BY:

Eugene L. O'Flaherty

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 bill:

An Act providing for the equitable apportionment of certain liens.

PETITION OF:

NAME:

Eugene L. O'Flaherty

DISTRICT/ADDRESS:

2nd Suffolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1651 OF .]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

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:

1 Section 70A of chapter 111 of the General Laws, as appearing in the 2006 Official
2 Edition, is hereby amended by inserting after the first sentence the following sentence:-

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