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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

**EIGHTY-SIXTH  
SESSION**

**HOUSE FILE NO. 74**

January 12, 2009

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The bill was read for the first time and referred to the Committee on Civil Justice

1.1 A bill for an act  
1.2 relating to human services; providing attorney fees for invalid medical assistance  
1.3 liens; amending Minnesota Statutes 2008, section 256B.15, by adding a  
1.4 subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2008, section 256B.15, is amended by adding a  
1.7 subdivision to read:

1.8 Subd. 9. **Attorney fees.** If, following a hearing on the matter, the court determines  
1.9 that the claimed lien is invalid, the court shall issue an order striking and releasing the  
1.10 claim of lien and shall award actual damages, costs, and reasonable attorney fees to the  
1.11 petitioner to be paid by the lien claimant.