

38-7-3 Parties or insurance carrier making payment liable for satisfaction of lien -- Enforcement of lien.

- (1) Any person, firm or corporation, including an insurance carrier, making any payment to a patient or to his attorney, heirs or legal representative as compensation for the injuries and/or damages sustained, after the filing and, if applicable, receipt of written notice of the lien, as aforesaid, and without paying the hospital asserting the lien the amount of its lien or that portion of the lien which can be satisfied out of the money due under any final judgment or contract of compromise or settlement, less payment of the amount of any prior liens, shall be liable to the hospital for the amount that the hospital was entitled to receive.
- (2) Liability of the person, firm or corporation for the satisfaction of the hospital lien shall continue for a period of one year from and after the date of any payment of any money to the patient, his heirs or legal representatives as damages or under a contract of compromise or settlement. Any hospital may enforce its lien by a suit at law against the person, firm or corporation making the payment. In the event of a suit to enforce a lien the hospital may recover a reasonable attorney's fee and the costs of filing and recording the lien.

Enacted by Chapter 75, 1965 General Session