

HOUSE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

March 3, 2011  
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB11-1106 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 3, strike lines 11 through 21 and substitute:

2 "(3) IN ANY ACTION BY ANY PERSON OR ANY LEGAL  
3 REPRESENTATIVE TO RECOVER DAMAGES RESULTING FROM DEATH OR  
4 INJURY TO A PERSON, THE DAMAGES THAT MAY BE RECOVERED BY A  
5 CLAIMANT FOR ANY REASONABLE AND NECESSARY HEALTH CARE  
6 SERVICES OR TREATMENT RECEIVED SHALL INCLUDE ONLY:

7 (a) AMOUNTS ACTUALLY PAID BY OR ON BEHALF OF THE INJURED  
8 PERSON TO THE HEALTH CARE SERVICE PROVIDERS WHO RENDERED  
9 REASONABLE AND NECESSARY CARE, TREATMENT, OR SERVICES; AND

10 (b) UNPAID CHARGES FOR REASONABLE AND NECESSARY HEALTH  
11 CARE SERVICES OR TREATMENT STILL OWING AND PAYABLE TO THE  
12 HEALTH CARE SERVICE PROVIDER; AND

13 (c) AMOUNTS FOR REASONABLE AND NECESSARY FUTURE HEALTH  
14 CARE SERVICES OR TREATMENT.

15 (4) IF PAYMENT FOR REASONABLE AND NECESSARY HEALTH CARE  
16 SERVICES OR TREATMENT HAS BEEN MADE BY AN ENTITY OTHER THAN A  
17 PAYER OF BENEFITS, AS DEFINED IN SECTION 10-1-135 (2) (c) (I), C.R.S.,  
18 THEN THE ENTITY THAT MADE PAYMENT TO THE HEALTH CARE SERVICE  
19 PROVIDER SHALL BE ENTITLED TO RECOVER A REASONABLE AMOUNT FOR  
20 ANY NECESSARY TREATMENT OR SERVICES PROVIDED TO THE CLAIMANT."

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