

course, is a hospital lien law bill. Critical factor is what is the hospital bill? Contrary to what a lot of laymen think, all hospital bills are not alike for the same services. In this era of managed care and bargaining between managed care groups, some people are charged different amounts than others for hospital bills and what we're dealing with in this bill is the amount of a lien for treatment of serious traumatic injuries in accident cases and very often rather high hospital bills. The bill, as originally drafted, said that the hospital can file a lien for, and I quote, "reasonable value of services. This amendment would change that terminology to "usual and customary charges of such physician, nurse or hospital applicable at the time services are rendered." Okay, what's the difference between "reasonable value" and "usual and customary charges"? The term "reasonable value" raises the question as to reasonable to whom? Reasonable to the hospital? Reasonable to other hospitals? Reasonable to insurance companies? Reasonable to plaintiffs? Different people can have different interpretations of what the word "reasonable" means. I proposed in this amendment to change that language to "usual and customary charges", which means the hospital lien would be limited to what is the usual charge for that service and what is the customary charge. In other words, it would be a comparison with other hospitals so that there would be a standard of charges between the hospitals and they could not file a lien for more than what was usual and customary among other hospitals. It is simply a matter of equalizing the charges of hospitals so that they could not inflate or exaggerate or charge a higher rate than what is usual and customarily charged by other hospitals. I believe that it is helpful to the bill and this is a friendly amendment and I offer it as an improvement to the bill, which I will support.

SENATOR CROSBY: Thank you, Senator Matzke. Discussion on the Matzke amendment. Senator Wesely.

SENATOR WESELY: Thank you.

SENATOR CROSBY: Senator Wesely.

SENATOR WESELY: Yes, I'm sorry, Madam President, members. I rise in support of the Matzke amendment. We have discussed this. We discussed it in committee. Senator Matzke raised his concern at that time and I agreed to work with him. We have agreed to this language. We do, as Senator Matzke say, feel that this is a term of art that we understand its meaning.