

SENATOR MATZKE: Yes, I'd be happy to. I didn't draft the bill. I was on the Health Committee which heard the bill. I voted...I was the only member of the Health Committee who voted against this bill in committee. It came... we have information concerning a hospital lien that was filed and the lawyers had filed it for the hospital. When they found out they had to file a lien they just added a third to the hospital bill and filed their lien for an inflated amount and this amendment is aimed at that type of maneuver. Now, in that particular instance, a hospital thought what they did was very reasonable. They were going to have to pay a third under the Supreme Court opinion for its collection so they merely just added a third to the amount of the hospital bill that involved several thousand dollars, many thousands of dollars actually. Under this amendment, that would be impossible. They would only be entitled to file a lien for what is usual and customary and that is a word of art that's...

SENATOR HALL: Sure.

SENATOR MATZKE: ...used in the federal Medicare law. That is the standard phrase that is used, which means you cannot charge more than what is usual and customary for that charge at that specific time. So it's meant to take away from any hospital or doctor or any other medical provider the temptation to say, well, if I have to file a lien I'm going to jack up the price. This is only intended to keep charges legitimate.

SENATOR HALL: But, Senator Matzke, to expand on that a little bit, isn't it possible that reasonable value of services could be a figure less, although it might be used and may have been used in the...and I'm sure it was in the way that you described it, but isn't it possible that it could be less than what would be the usual and customary charge? I mean, many times those charges are...are inflated before they are... I mean if... and I've walked through a couple hospital bills, both in my work and personally, looking at different things that either were or were not accurate and, I mean, reasonable value is an issue that is debatable in terms of whether or not you would have the ability to negotiate those charges down, whereas usual and customary means that... and I understand because it is...

SENATOR CROSBY: One minute.