

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011

A Bill

HOUSE BILL 1833

4
5 By: Representative King

For An Act To Be Entitled

8 AN ACT TO REQUIRE THE RELEASE OF A MEDICAL LIEN WHEN
9 ACCOUNT HAS BEEN PAID IN FULL; AND FOR OTHER
10 PURPOSES.

Subtitle

14 TO REQUIRE THE RELEASE OF A MEDICAL LIEN
15 WHEN ACCOUNT HAS BEEN PAID IN FULL.

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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 SECTION 1. Arkansas Code § 18-46-114 is amended to read as follows:

21 18-46-114. Release on satisfaction or waiver of lien required.

22 (a) When a lien has been satisfied or waived, the practitioner, nurse,
23 hospital, or ambulance service provider that established or waived ~~it~~ the
24 lien shall, ~~on written demand and at the expense of the patient, or the~~
25 ~~person by whom the patient was injured, or by the insurer obligated by reason~~
26 ~~of the injury, give~~ file with the county clerk where the lien was filed a
27 written lien release, duly acknowledged before a justice of the peace or
28 notary public, and forward a copy of the written lien release by certified
29 mail to the last known address of the responsible party listed on the
30 account.

31 (b)(1) ~~Any~~ A practitioner, nurse, hospital, or ambulance service
32 provider that refuses or fails under the circumstances stated, for a period
33 of ~~five (5)~~ thirty (30) days ~~or more~~ after a ~~written demand is made for a~~
34 ~~release~~ lien has been satisfied or waived, to execute and deliver file with
35 the county clerk where the lien was filed and forward a copy of the written
36 lien release shall be liable to the ~~demandant~~ responsible party listed on the



1 account for any injury or damage that results from refusal or failure to file
2 a written lien release.

3 (2) In any event he or she shall forfeit to the ~~demanda~~
4 responsible party listed on the account the sum of twenty-five dollars
5 (\$25.00), which may be recovered in ~~any~~ an action for damages because of the
6 failure to comply with this section, or in a civil action before a justice of
7 the peace, ~~as the circumstances of the case require~~.

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