

HEALTH-CARE PROVIDER'S LIEN

I, _____, do hereby authorize the above physician to furnish my attorney, with a full report of his examination, diagnosis, treatment, prognosis, etc. of myself with regards to my accident or illness which occurred on or about _____.

I hereby give a lien to Dr. Micheal E. Maher, D.O. on any settlement, judgment, or verdict as a result of said accident/illness, and authorize and direct my attorney to pay directly to Dr. Maher such sums as may be due and owing to him for services rendered to me, and to withhold such sums from settlement, claim, judgment, or verdict as may be necessary to protect Dr. Maher adequately, subject to the limitations of C.R.S. 38-27.5-101 et. Seq. These limitations are set out in part on the attached disclosure document.

Date:

Signature:

Provider Signature:

The undersigned, being attorney of record for the above patient does hereby acknowledge the receipt of the above lien.

Date:

Authorized Signature:

Name:

Health-Care Provider Lien- Discloser to Injured Person (s)

You, as my patient (injured person) are entering into a lien agreement to receive health-care service from my office. As required by Colorado law, you are hereby advised of the following:

There are potential methods for payment for a health-care provider's billed charges:

- (I) The creation of a Health-Care provider Lien;
- (II) The use of benefits available from any payer of benefits as defined in section 38-27-101 (9) to which the injured person is a beneficiary, including that the injured party can obtain information about the payer of benefits' network from the payer benefits of the health-care provider;
- (III) Any other payment method or arrangement agreed to in writing by both the health-care provider or its assignee and the injured person; and/or
- (IV) A combination of the payment methods specified in subsections (I)(a)(I) to (I) (a) (III) of C.R.S. 38-27.5-101 et. Seq

The Health-Care provider or its assignee is not a health insurer or payer of benefits:

Except in the event of fraud or misrepresentation by the injured person

- (I) If the injured person does not receive judgement, settlement, or payment on the injured person's claim against third parties or under and uninsured or underinsured motorist policy, the injured person is not liable to the holder of the health-care provider lien for any portion of the health-care provider lien: (II) If the injured person received a net judgement , settlement or payment that is less than the full amount of the health-care provider lien is not liable to the holder of the health-care provider lien for any amount beyond the net judgement, settlement, or payment, and the holder of the health-care provider lien may not file a complaint or counterclaim against the injured person directly to be reimbursed for any amount beyonf the net judgement, settlement, or payment.

Nothing prevents a health-care provider or its assignee from initiating a declaratory judgment action or participating in an interpleaded action or claim pursuant to the Colorado rules of civil procedures, or any other similar action or claim, to determine the health-care provider's or its assignee's share of the injured person's net judgement, settlement, or payment.

The health-care provider or its assignee may not assign a health-care provider lien to a collection agency or debt collection.

A health-care-provider's assignee's compensation from the injured person is based on the difference between the health-care provider's usual and customary billed charge and the amount that the assignee pays to purchase the health-care provider lien.

Initials

Of any common ownership interest between the holder of the health-care provider lien and the injured person's legal counsel;

Of any common ownership interest between the assignee of a health-care provider lien and any health-care provider who is providing treatment or who may provide treatment to the injured person under the terms of the health-care provider lien.

If the injured person has obtained health insurance even after a health-care provider lien has been created and the injured person or the injured person's legal counsel so informs the holder of the health-care provider lien, all future care may be billed to the health insurance carrier at the injured person's discretion.

Nothing in this section changes any obligation of the health-care provider or its agents under the "Colorado Medical Assistance Act", articles 3-6 of the title 25.5.

Upon request by the injured person or the injured person's legal counsel, the holder of a health-care provider lien shall provide in writing to the injured person an itemized statement of all the billed charges for treatment comprising the total value of the health-care provider lien as the billed charges are accrued, to the extent practicable, and when the health-care provider lien is final, the final itemized statement must include a summary of all treatments provided, the total amounts billed for each treatment, and the total amount of the health-care provider lien due and owing.

Patient Name: _____

Signature: _____

Date: _____