

provisions from other parts of the work comp statute to apply to delinquent medical payments. I'd try to answer any questions, urge the adoption of the amendment.

SPEAKER BAACK: Thank you, Senator Lindsay. Discussion on the Lindsay amendment. Senator Coordsen.

SENATOR COORDSEN: A question of Senator Lindsay, please, if he would. Senator Lindsay, does your amendment allow an attorney to collect a fee on the delinquent medical payments that they are able to collect?

SPEAKER BAACK: Senator Lindsay.

SENATOR LINDSAY: I'm sorry, you mean if they collect delinquent medical payments?

SENATOR COORDSEN: Um-hum.

SENATOR LINDSAY: Would the court then allow a fee, is that what you are asking?

SENATOR COORDSEN: Would the court allow or would they be able to charge in some other manner a fee on the collection of medical payments?

SENATOR LINDSAY: You can certainly have a fee contract between any attorney and client which may, for example, in other areas of work comp you would have it generally on a contingent fee which is a percentage of any recovery. You could certainly do that in an action to recover medical payments. What is generally done if the court awards a fee, then whatever contract between the attorney and client you would then reduce the...whatever is owed otherwise by whatever the court has awarded.

SENATOR COORDSEN: Thank you. Thank you, Senator Lindsay. In a Workers' Compensation Court case, in a Workers' Compensation Court case, the plaintiff, who is generally the injured party, to the best of my knowledge is entitled to all of the medical coverage that is related to, the payment of all the medical bills that are related to the injury. It's my understanding that the situation that Senator Lindsay is trying to address evolves from some medical practitioners who seem not to be aware of the mandates on them or insurance carriers, for that matter,