

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 837

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “money” in line 4 down through “of” in line 6 and substitute “the net recovery by a debtor on a claim for personal injury is subject to execution on a judgment for”; and in line 6, after “arrearage;” insert “defining “net recovery”;”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 11 through 13, inclusive, and substitute:

“(I) (1) IN THIS SUBSECTION, “NET RECOVERY” MEANS THE SUM OF MONEY TO BE DISTRIBUTED TO THE DEBTOR AFTER DEDUCTION OF ATTORNEY’S FEES, EXPENSES, MEDICAL BILLS, AND SATISFACTION OF ANY LIENS OR SUBROGATION CLAIMS ARISING OUT OF THE CLAIMS FOR PERSONAL INJURY, INCLUDING THOSE ARISING UNDER:

(I) THE MEDICARE SECONDARY PAYER ACT, 42 U.S.C. § 1395Y;

(II) A PROGRAM OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR WHICH A RIGHT OF SUBROGATION EXISTS UNDER §§ 15-120 AND 15-121.1 OF THE HEALTH-GENERAL ARTICLE;

(III) AN EMPLOYEE BENEFIT PLAN SUBJECT TO THE FEDERAL EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974; OR

(IV) A HEALTH INSURANCE CONTRACT.

(Over)

(2) TWENTY-FIVE PERCENT OF THE NET RECOVERY BY THE DEBTOR ON A CLAIM FOR PERSONAL INJURY IS SUBJECT TO EXECUTION ON A JUDGMENT FOR A CHILD SUPPORT ARREARAGE.