## Chapter 25C PAYMENT OF COSTS OF HOSPITAL CARE, TREATMENT AND MAINTENANCE [[1]](#BK_63FF7079E3E2877B3FDE7D42E4900E0F)

[Sec. 25C-1. Applicability.](#BK_46E3E76F64712B4D42B0C5667BA1A250)

[Sec. 25C-2. Prerequisite to recovery of damages; exception.](#BK_4B06536CCC69D3301E54B3A24E4E5C35)

[Sec. 25C-3. Enforcement by lien authorized; scope.](#BK_DB844ED11F777C45079256640D446284)

[Sec. 25C-4. Perfection of lien; notice of filing.](#BK_228602614CC30EE3D6CDD500BE6C47D8)

[Sec. 25C-5. Recording of lien; filing fee.](#BK_7567BD7F1EA3BD418BD69246180DFD00)

[Sec. 25C-6. Validity of release or satisfaction of claims against third parties as to lienholder's rights in those claims.](#BK_9BDB939EBB4822DB9DEB9519F49B5E17)

Sec. 25C-1. Applicability.

The provisions of this Act [chapter] shall not be applicable to accidents or injuries within the purview of the Workmen's Compensation Act of this state.

(Ch. 27032, § 6, Laws 1951)

Sec. 25C-2. Prerequisite to recovery of damages; exception.

No person shall be entitled to recover or receive damages on account of hospital care, treatment and maintenance unless he shall affirmatively show that he has paid the cost thereof.

It is specifically provided, however, that in any action, suit or counterclaim brought on account of illness or injury, the plaintiff or counterclaimant may include as an item of damages the cost of such hospital care, treatment and maintenance, if prior to the trial of the action he shall have notified the lienholder referred to in this Act [chapter] of the pendency of such action or counterclaim; whereupon such lienholder shall have the right, without leave of court, to intervene in the case and prove the reasonable cost of such hospital care, treatment and maintenance. Any verdict that may be rendered in favor of the plaintiff or counterclaimant shall set forth the amount the jury finds to be due the lienholder for such hospital care, treatment and maintenance and the name of such lienholder. Any judgment rendered in the case in favor of the plaintiff or counterclaimant shall also be in favor of the lienholder in the amount set forth by the jury's verdict.

(Ch. 27032, § 5, Laws 1951)

Sec. 25C-3. Enforcement by lien authorized; scope.

Every individual, partnership, firm, association, corporation, institution and governmental unit, and every combination of any of the foregoing, operating a hospital in any county in this State having a population in excess of three hundred twenty-five thousand (325,000), according to the last preceding federal census, shall be entitled to a lien for all reasonable charges for hospital care, treatment and maintenance of ill or injured persons upon any and all causes of action, suits, claims, counterclaims and demands accruing to the persons to whom such care, treatment or maintenance are furnished or accruing to the legal representatives of such persons, and upon all judgments, settlements and settlement agreements rendered or entered into by virtue thereof, on account of illness or injuries giving rise to such causes of action, suits, claims, counterclaims, demands, judgment, settlement or settlement agreement and which necessitated or shall have necessitated such hospital care, treatment and maintenance.

(Ch. 27032, § 1, Laws 1951)

Sec. 25C-4. Perfection of lien; notice of filing.

In order to perfect such lien, the executive officer or agent of a hospital, before, or within ten (10) days after, any such person shall have been discharged from such hospital, shall file in the Office of the Clerk of the Circuit Court or the county in which such hospital shall be located, a verified claim in writing setting forth the name and address of such patient, as it shall appear on the records of such hospital, the name and location of such hospital, and the name and address of the executive officer or agent of such hospital, the dates of admission to and discharge of such patient therefrom, the amount claimed to be due for such hospital care, treatment and maintenance and, to the best knowledge of the person signing such claim, the names and addresses of all persons, firms or corporations claimed by such ill or injured person or by the legal representative of such person, to be liable on account of such illness or injuries; such claimant shall also, within one (1) day after filing of such claim or lien, mail a copy thereof by registered mail, postage prepaid, to each person, firm or corporation so claimed to be liable on account of such illness or injuries, at the address so given in such statement. The filing of such claim shall be notice thereof to all persons, firms or corporations who may be liable on account of such illness or injuries, whether or not they are named in such claim or lien, and whether or not a copy of such claim shall have been received by them.

(Ch. 27032, § 2, Laws 1951)

Sec. 25C-5. Recording of lien; filing fee.

The Clerk of the Circuit Court shall endorse on such claim the date and hour of filing, shall provide a hospital lien book with proper index in which he shall record such claim, and shall show therein the date and hour of such filing. He shall be paid by the claimant as his fee for such filing and recording of each claim the sum of one dollar and twenty-five cents ($1.25).

(Ch. 27032, § 3, Laws 1951)

Sec. 25C-6. Validity of release or satisfaction of claims against third parties as to lienholder's rights in those claims.

No release or satisfaction of any action, suit, claim, counterclaim, demand, judgment, settlement or settlement agreement, or of any of them, shall be valid or effectual as against such lien unless such lienholder shall join therein or execute a release of such lien.

Any acceptance of a release or satisfaction of any such cause of action, suit, claim, counterclaim, demand or judgment and any settlement of any of the foregoing in the absence of a release or satisfaction of the lien referred to in this Act [chapter] shall prima facie constitute an impairment of such lien; and the lienholder shall be entitled to an action at law for damages on account of such impairment, and in such action may recover from the one (1) accepting such release or satisfaction or making such settlement the reasonable cost of such hospital care, treatment and maintenance. Satisfaction of any judgment rendered in favor of the lienholder in any such action shall operate as a satisfaction of the lien. Any action by the lienholder shall be brought in the court having jurisdiction of the amount of the lienholder's claim and may be brought and maintained in the county wherein the lienholder has his, its or their residence or place of business. If the lienholder shall prevail in such action, the lienholder shall be entitled to recover from the defendant, in addition to costs otherwise allowed by law, all reasonable attorneys' fees and expenses incident to the matter.

(Ch. 27032, § 4, Laws of 1951)

FOOTNOTE(S):

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**Editor's note—** Pursuant to instructions from the County, the provisions of Ch. 27032, §§ 1—6, Laws 1951, having become an ordinance of the County pursuant to Ch. 71-29, § 3(2), Laws of Florida, have been codified herein as a new Ch. 25C, §§ 25C-1—25C-6. The order of sections contained in said act has been changed for purposes of classification. [(Back)](#BK_4BB0B82C85D235FC43AF32784F7B4243)

**Cross reference—** Hospital Department, § 2-78 et seq.; public health trust, Ch. 25A. [(Back)](#BK_4BB0B82C85D235FC43AF32784F7B4243)