

Introduced by Senator Steinberg

February 24, 2012

An act to add Section 3284 to the Civil Code, relating to damages.

LEGISLATIVE COUNSEL'S DIGEST

SB 1528, as amended, Steinberg. Damages: medical services.

Existing law establishes, as a general rule, that compensation is the relief or remedy provided by law for a violation of private rights. Existing law provides that a person suffering detriment from the unlawful act or omission of another may recover damages from the person at fault.

~~This bill would require, in order to ensure the public policy of all injured persons being compensated equally, that an injured person is entitled to recover the reasonable value of medical services provided without regard to the amount actually paid, as specified *express the intent of the Legislature to establish a framework for compensating persons with injuries due to the fault of 3rd parties.*~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 3284 is added to the Civil Code, to read:
- 2 3284. ~~(a) To ensure the public policy of all injured persons~~
- 3 ~~being compensated equally, an injured person shall be entitled to~~
- 4 ~~recover the reasonable value of medical services provided without~~
- 5 ~~regard to the amount actually paid.~~

1 3284. (a) *It is the intent of the Legislature to establish a*
2 *framework for compensating persons with injuries due to the fault*
3 *of third parties.*

4 (b) Nothing in this section abrogates the lien rights provided
5 for in Sections 3040 and ~~3045.1~~ *of 3045.1* of this code, or Section
6 14124.791 of the Welfare and Institutions Code. This section shall
7 have no effect on the rights of parties under Section 3333.1 of this
8 code or of public entities under Section 985 of the Government
9 Code.