

H.12 Litigation Personal Loan Company Regulation Legislation

VT Assn. for Justice Proposed Amendment

2/2/16 House Commerce

Definitions Section:

“Net proceeds” means the amount recovered by a consumer related to the legal claim or the underlying events giving rise to the legal claim as a result of a legal claim after payment of all attorney’s fees, attorney liens, litigation costs, and any claims of health care providers, employers in workers’ compensation proceedings, health insurers, employer’s with self-funded health care plans, or any publicly-financed health care plan, related to the legal claim or the underlying events giving rise to the legal claim. **payment for charges for health care services to health care providers or satisfaction of any liens of health care providers, payment to satisfy liens, subrogation claims, or claims for reimbursement arising from third-parties who have paid related medical bills, lost wages or workers compensation benefits, including payment to employers and workers compensation insurers in workers’ compensation proceedings, payment for claims from health insurers, disability insurers, employers with self-funded health care plans, or publicly-financed health care plans.**

Contract Requirements Section:

(11) a statement that:

- (a) attorney’s fees, attorney liens, litigation costs, payment for charges for health care services to health care providers or satisfaction of any liens of health care providers, payment to satisfy liens, subrogation claims, or claims for reimbursement arising from third-parties who have paid related medical bills, lost wages or workers compensation benefits, including payment to employers and workers compensation insurers in workers’ compensation proceedings, payment for claims from health insurers, disability insurers, employers with self-funded health care plans, or publicly-financed health care plans shall be satisfied before and take priority over any claim of the non-recourse consumer lawsuit funding company,
- (b) if there is no recovery of any money from the consumer’s legal claim, the consumer shall owe nothing to the company and
- (c) that, if the net proceeds of the claim are insufficient to repay the consumer’s indebtedness to the company, then the consumer shall owe the company no money in excess of the net proceeds; and