

1 AN ACT concerning liens.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 1. Short title. This Act may be cited as the  
5 Naprapathic Lien Act.

6 Section 5. Elements of the lien. Every licensed  
7 naprapath practicing in this State who provides services by  
8 way of treatment to injured persons, except services rendered  
9 under the provisions of the Workers' Compensation Act or the  
10 Workers' Occupational Diseases Act, shall have a lien upon  
11 all claims and causes of action for the amount of his or her  
12 reasonable charges up to the date of payment of the damages.  
13 However, the total amount of all liens under this Act shall  
14 not exceed 1/3 of the sum paid or due to the injured person  
15 based on a claim or right of action. The lien shall also  
16 include a written notice containing the name and address of  
17 the injured person, the date of the injury, the name and  
18 address of the licensed naprapath practicing in this State,  
19 and the name of the party alleged to be liable to make  
20 compensation to the injured person for the injuries received.  
21 The notice shall be served on both the injured person and the  
22 party against whom the claim or right of action exists.  
23 Service shall be made by registered or certified mail or in  
24 person.

25 Section 10. Payment. Notwithstanding any other  
26 provision of this Act, payment in good faith to any person  
27 other than the licensed naprapath claiming the lien, prior to  
28 the service of notice of lien shall, to the extent of the  
29 payment made, bar or prevent the creation of an enforceable  
30 lien.

1           Section 15. Attachment. The lien of any licensed  
2           naprapath practicing in this State shall, from the time of  
3           service of a notice, as provided in Section 5, attach to any  
4           verdict, judgment, or order secured in any suit or action by  
5           the injured party based on a negligent or wrongful act, and  
6           to any money or property that may be recovered by compromise  
7           settlement, or in any suit or action brought by the injured  
8           person on account of a claim or right of action. In case of  
9           death of the injured person, the lien shall attach to any  
10          money or property that may be recovered by compromise  
11          settlement, suit, or action based on injuries not resulting  
12          in the death of the injured person, or to any verdict,  
13          judgment or order in any suit or action brought by the estate  
14          of the injured person against any other person for the  
15          recovery of damages on account of injuries not resulting in  
16          the death of the injured person.

17          Section 20. Examination of records. Any party to a  
18          cause pending in a court against whom a claim is asserted or  
19          any party against whom a claim has been asserted for damages  
20          resulting from injuries shall, upon written request, be  
21          permitted to examine the records of the licensed naprapath in  
22          reference to the examination or treatment of the injured  
23          person. Any licensed naprapath claiming a lien under this Act  
24          shall, within 10 days of being requested in writing by any  
25          party, furnish to the party, or file with the clerk of the  
26          court in which the cause is pending, a written statement of  
27          the treatment given to the injured person by the licensed  
28          naprapath.

29          Section 25. Failure to file written statement. Should  
30          any licensed naprapath fail or refuse to give or file a  
31          written statement as required in Section 20 after receiving a  
32          written request to do so as provided in Section 20, the

1 licensed naprapath's lien shall immediately become null and  
2 void.

3 Section 30. Enforcement and priorities. The injured  
4 person or licensed naprapath practicing in this State shall  
5 file a petition and the circuit court shall, after written  
6 notice to all interested adverse parties, adjudicate the  
7 rights of all interested parties and enforce their liens.  
8 Nothing in this Act affects the priority of any attorney's  
9 lien under the Attorneys Lien Act, nor gives priority to  
10 liens under the Hospital Lien Act.

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law.