

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.