

## CHAPTER 69.

[H. B. 388.]

## LIENS BY NURSES, DOCTORS AND HOSPITALS.

AN ACT relating to liens and the enforcement thereof by hospitals, nurses, practitioners, physicians and surgeons against claims and rights of action to recover damages or compensation by persons injured through the fault or negligence of others.

*Be it enacted by the Legislature of the State of Washington:*

Lien.

SECTION 1. Every operator of a hospital and every duly licensed nurse, practitioner, physician and surgeon rendering service for any person who has received a traumatic injury shall have a lien upon any claim, right of action and/or money to which such person is entitled against any *tort feasor* and/or insurer of such *tort feasor* for the value of such service, together with costs and such reasonable attorney's fees as the court may allow, incurred in enforcing such lien: *Provided, however,* That nothing in this act shall apply to any claim, right or action or money accruing under the Workmen's Compensation Act of the State of Washington, and: *Provided, further,* That all the said liens for service rendered to any one person as a result of any one accident shall not exceed twenty-five (25) per centum of the amount of an award, verdict, report, decision, decree, judgment or settlement.

Exception.

Lien filed.

SEC. 2. No person shall be entitled to the lien given by the preceding section unless he shall, within twenty (20) days after the date of such injury, or, if settlement has not been affected with and payment made to such injured person, then at any time before such settlement and payment, file for record with the county auditor of the county in which said service was performed, a notice of claim

stating the name and address of the person claiming the lien and whether he claims as a practitioner, physician, nurse or hospital, the name and address of the patient and his place of domicile, if other than his actual address, the time when and place where the alleged fault or negligence of the *tort feasor* occurred, and the nature of the injury, the name and address of the *tort feasor*, if same or any thereof are known, which claim shall be subscribed by the claimant and verified before a person authorized to administer oaths.

SEC. 3. The county auditor shall record the claims mentioned in this chapter in a book to be kept by him for that purpose, which record must be indexed as deeds and other conveyances are required by law to be indexed. Claims recorded.

SEC. 4. The taking of a promissory note or other evidence of indebtedness for any services performed, as provided in this act, shall not discharge the lien therefor unless expressly received as a payment for such services and so specified therein. Promissory note.

SEC. 5. No settlement made by and between the patient and *tort feasor* and/or insurer shall discharge the lien against any money due or owing by such *tort feasor* or insurer to the patient or relieve the *tort feasor* and/or insurer from liability by reason of such lien unless such settlement also provides for the payment and discharge of such lien or unless a written release or waiver of any such claim of lien, signed by the claimant, be filed in the court where any action has been commenced on such claim, or in case no action has been commenced against the *tort feasor* and/or insurer, then such written release or waiver shall be delivered to the *tort feasor* and/or insurer. Settlement.

SEC. 6. Such lien may be enforced by a suit at law brought by the claimant or his assignee within Actions.

one (1) year after the filing of such lien against the said *tort feasor* and/or insurer. In the event that such *tort feasor* and/or insurer shall have made payment or settlement on account of such injury, the fact of such payment shall only for the purpose of such suit be *prima facie* evidence of the negligence of the *tort feasor* and of the liability of the payer to compensate for such negligence.

Passed the House March 3, 1937.

Passed the Senate March 3, 1937.

Approved by the Governor March 13, 1937.

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## CHAPTER 70.

[H. B. 531.]

### QUALIFICATION AND REGULATION OF CORPORATIONS.

AN ACT requiring and providing for the qualification of foreign corporations to do business in this state; providing and requiring payment of filing and license fees for both domestic and foreign corporations; providing additional fees for late payment; prescribing the duties of certain officials in aid of collection thereof; providing they shall be preferred claims and constitute a lien on corporate assets; providing for the reinstatement of stricken and dissolved corporations; and validating the corporate acts of such corporations occurring before reinstatement; repealing certain acts and all other inconsistent acts and declaring an emergency.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. All corporations hereafter organized under the laws of this state, except the corporations for which existing law provides a different fee schedule, shall pay for the filing of its articles of incorporation a fee of twenty-five dollars (\$25.00) for the first fifty thousand dollars (\$50,000.00), or less, of its authorized capital stock, and one-twentieth (1/20) of one per cent (1%) additional on all amounts in excess of fifty thousand dollars (\$50,-

Domestic corporations, fee for filing articles.