



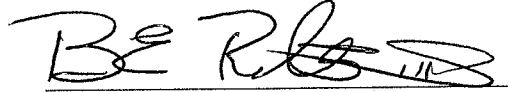
versus an uninsured patient, the case before this Court reflects on the reasonableness of the billed amount to a third party and/or the paid amount on certain invoices by that third party on behalf of the patient. This paid amount is based upon the ability of the patient to recover in a lawsuit for the injuries sustained. Defendant in their letter brief to the Court asks to be provided through discovery the billed amounts on invoices from the doctor to MLH for treatment and the amounts paid by MLH on these invoices. This Court rules that the billed amounts are discoverable for they are relevant to the reasonableness of the charges for the patient's care. However this Court finds that the amounts paid by MLH still constitute a collateral source payment and therefore would not be discoverable or admissible.

The United States District Court for the Northern District of Georgia has held that when a witness gives false evidence relating to a material issue in a case, collateral source evidence may be admissible for impeachment purposes. *Houston v. Publix Supermarkets, Inc.*, 2015 U.S. Dist. LEXIS 102093, 2015 WL 4581541 (2015). If evidence is submitted not to mitigate damages but for the purpose of attacking the credibility of causation testimony, this evidence would be admitted for such purposes. *Id.* at 2. Defendant in this case argues that the number of patients MLH has referred to certain treating physicians and the number of those patients the providers determined had an injury caused by an accident goes directly to the treating physician's bias and credibility. This Court agrees. Such information is discoverable for attacking the credibility of testimony given by plaintiff's expert witnesses.

Lastly, Defendant asks for the disclosure of what has been referred to as a "green sheet" which details the treating physician's recommended course of treatment and billing codes along with communications between his office and MLH. Plaintiff has responded that MLH has no such record of a "green sheet" but other similar documents have already been provided to

defense counsel. Should a "green sheet" exist, MLH is ordered to provide it in accordance with the above ruling.

SO ORDERED, this 13 day of May, 2016.



B. E. Roberts, III  
Judge, State Court of Hall County

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