

1910

Sponsor(s): Representatives Schual-Berke and Pflug

Brief Description: Limiting noneconomic damages in actions involving provision of health care.

HB 1910 - DIGEST

Provides that, in an action for damages for injury or death occurring as a result of the provision of health care, the amount of noneconomic damages awarded to the claimant shall not exceed four hundred thousand dollars.

Declares that the limitation on noneconomic damages in this act does not apply in an action in which the acts or omissions of a defendant were reckless, willful, or wanton.

Provides that, in an action involving more than one defendant where the noneconomic damage award exceeds four hundred thousand dollars as allowed under this act, the responsibility for damages of a defendant whose acts or omissions were not reckless, willful, or wanton shall be determined as though the noneconomic damage award were four hundred thousand dollars.

Provides that this act takes effect if the proposed amendment to Article I, section 21 of the state Constitution limiting noneconomic damages in actions involving provision of health care is validly submitted to and is approved and ratified by the voters at the next general election. If the proposed amendment is not approved and ratified, this act is void in its entirety.