

HOUSE BILL 930

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By: **Delegates Elliott, Aumann, Bates, Beidle, Clagett, Conway, Costa, Eckardt, Frank, George, Kipke, Krebs, McComas, Minnick, Rudolph, Schulz, Stocksdales, Szeliga, and Wood**

Introduced and read first time: February 5, 2014

Assigned to: Judiciary

A BILL ENTITLED

AN ACT concerning

Health Care Malpractice – Limitation on Noneconomic Damages

FOR the purpose of altering a certain limitation on noneconomic damages in health care malpractice claims; making conforming and stylistic changes; and generally relating to altering a certain limitation on noneconomic damages in health care malpractice claims.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–2A–09(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–2A–09(b)(1)
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

3–2A–09.

(a) This section applies to an award under § 3–2A–05 of this subtitle or a verdict under § 3–2A–06 of this subtitle for a cause of action arising on or after January 1, 2005.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(b) (1) (i) Except as provided in paragraph (2)(ii) of this subsection, an award or verdict under this subtitle for noneconomic damages for a cause of action arising between January 1, 2005, and December 31, 2008, inclusive, may not exceed \$650,000.

(ii) 1. The limitation on noneconomic damages provided under subparagraph (i) of this paragraph shall increase by \$15,000 on January 1 of each year [beginning] **BETWEEN January 1, 2009, AND DECEMBER 31, 2013.**

2. The increased amount shall apply to causes of action arising between January 1 and December 31 of that year, inclusive.

(III) EXCEPT AS PROVIDED IN PARAGRAPH (2)(II) OF THIS SUBSECTION, AN AWARD OR A VERDICT UNDER THIS SUBTITLE FOR NONECONOMIC DAMAGES:

1. FOR A CAUSE OF ACTION ARISING BETWEEN JANUARY 1, 2014, AND OCTOBER 1, 2014, INCLUSIVE, MAY NOT EXCEED \$740,000; AND

2. FOR A CAUSE OF ACTION ARISING ON OR AFTER OCTOBER 1, 2014, MAY NOT EXCEED \$500,000.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.