

BY: Senator Greenip

AMENDMENTS TO SENATE BILL NO. 836

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the first “of” insert “requiring a court to employ a certain neutral expert witness under certain circumstances:”.

On page 3, after line 8, insert:

“BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings

Section 3-2A-09(d)

Annotated Code of Maryland

(2002 Replacement Volume and 2004 Supplement)

(As enacted by Ch. 5 of the Acts of the General Assembly of the 2004 Special Session)”.

AMENDMENT NO. 2

On page 4, after line 35, insert:

“Article - Courts and Judicial Proceedings

3-2A-09.

(d) (1) A verdict for past medical expenses shall be limited to:

(i) The total amount of past medical expenses paid by or on behalf of the plaintiff; and

(ii) The total amount of past medical expenses incurred but not paid by or on behalf of the plaintiff for which the plaintiff or another person on behalf of the plaintiff is

(Over)

obligated to pay.

(2) (i) A court [may] on its own motion, or on motion of a party, SHALL employ a neutral expert witness to testify on the issue of a plaintiff's future medical expenses or future loss of earnings.

(ii) Unless otherwise agreed to by the parties, the costs of a neutral expert witness shall be divided equally among the parties.

(iii) [Nothing] EXCEPT AS PROVIDED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH, NOTHING contained in this subsection limits the authority of a court concerning a court's witness."