

Department of Legislative Services  
Maryland General Assembly  
2005 Session

FISCAL AND POLICY NOTE

House Bill 273  
Judiciary

(Delegate Zirkin)

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Health Care Malpractice Claims - Past Medical Expenses

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This bill provides that in a health care malpractice action for damages for personal injury or wrongful death, an award or verdict for past medical expenses must exclude any amount not actually paid by or on behalf of the claimant or any amount not owed by the claimant to a health care provider.

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Fiscal Summary

**State Effect:** The bill would not directly affect governmental operations or finances.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Current Law:** In a health care malpractice action, past medical expenses are limited to the total amount paid plus the total amount incurred but not paid, if the plaintiff or another person on the plaintiff's behalf is obligated.

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Additional Information

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts), Department of Health and Mental Hygiene, Maryland Insurance Administration, Office of the Attorney General, Department of Legislative Services

**Fiscal Note History:** First Reader - March 11, 2005  
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