

SENATE BILL 505

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9lr2926
CF HB 237

By: Senator Gladden

Introduced and read first time: February 4, 2009

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Health Care Malpractice – Noneconomic Damages**

3 FOR the purpose of altering certain limitations on noneconomic damages for a
4 personal injury action and a wrongful death action concerning health care
5 malpractice for a cause of action arising on or after a certain date; and generally
6 relating to noneconomic damages in personal injury and wrongful death actions
7 concerning health care malpractice.

8 BY repealing and reenacting, with amendments,

9 Article – Courts and Judicial Proceedings

10 Section 3-2A-09(b)

11 Annotated Code of Maryland

12 (2006 Replacement Volume and 2008 Supplement)

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

15 **Article – Courts and Judicial Proceedings**

16 3-2A-09.

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

21 **(II) EXCEPT AS PROVIDED IN PARAGRAPH (2)(III) OF THIS**
22 **SUBSECTION, AN AWARD OR VERDICT UNDER THIS SUBTITLE FOR**
23 **NONECONOMIC DAMAGES FOR A CAUSE OF ACTION ARISING BETWEEN JANUARY**
24 **1, 2009, AND SEPTEMBER 30, 2009, INCLUSIVE, MAY NOT EXCEED \$665,000.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



12 (2) (I) THIS PARAGRAPH APPLIES ONLY TO AN AWARD OR A
13 VERDICT UNDER THIS SUBTITLE FOR A CAUSE OF ACTION ARISING BETWEEN
14 JANUARY 1, 2005, AND SEPTEMBER 30, 2009, INCLUSIVE.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2009.