

Bill No. CS for CS for CS for SB 564, SB 2120 & SB 2620

Amendment No. Barcode 292822

CHAMBER ACTION

Senate

House

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Senator Jones moved the following amendment:

Senate Amendment (with title amendment)

On page 4, between lines 29 and 30,

insert:

Section 2. Section 766.118, Florida Statutes, is created to read:

766.118 Determination of noneconomic damages.--

(1) With respect to a cause of action for personal injury or wrongful death resulting from an occurrence of medical negligence, including actions pursuant to s. 766.209, damages recoverable for noneconomic losses to compensate for pain and suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of capacity for enjoyment of life, and all other noneconomic damages shall not exceed \$500,000 per defendant, regardless of the number of claimants involved in the action.

(2) The court may increase the amount of noneconomic damages awarded under this section by an amount not to exceed \$500,000 per defendant in cases where medical negligence

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1 results in death, paralysis, coma, or significant cognitive
2 neurological impairment.

3 (3) An individual defendant shall not be liable for
4 more than \$1 million under this section.

5
6 (Redesignate subsequent sections.)

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8

9 ===== T I T L E A M E N D M E N T =====

10 And the title is amended as follows:

11 On page 1, line 3, after the semicolon,

12
13 and insert:

14 creating s. 766.118, F.S.; providing that cause
15 of action for personal injury or wrongful death
16 from medical negligence, damages for
17 noneconomic losses shall not exceed \$500,000
18 per defendant; authorizing the court to
19 increase amount of noneconomic damages awarded
20 by an amount not to exceed \$500,000 per
21 defendant when medical negligence results in
22 death or other specified conditions;

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