

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Ambler offered the following:

Amendment (with directory and title amendments)

Remove line(s) 1825-1835, and insert:

Section 37. 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, unless the jury determines that there is substantial or permanent loss or impairment of a bodily function, substantial disfigurement, or other special circumstances in the

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28 case that warrant a finding that imposition of such a limitation
29 would deprive the claimant of just compensation for the injuries
30 sustained.

31 (2) The limits established in subsection (1) shall be
32 adjusted annually in accordance with the changes in the Consumer
33 Price Index as issued by the United States Department of Labor
34 Bureau of Labor Statistics. The Agency for Health Care
35 Administration shall establish by rule the new limits on July 1
36 of each year.

37
38 ===== T I T L E A M E N D M E N T =====

39 Remove line(s) 152, and insert:
40 negligence; providing for annual adjustment of limits based on
41 the Consumer Price Index; amending s. 766.202, F.S.; redefining
42 the