

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Ambler offered the following:

Amendment (with title amendment)

Remove lines 2243-2253, and insert:

Section 45. Subsection (1) of section 766.112, Florida Statutes, is amended to read:

766.112 Comparative fault.--

(1) Notwithstanding anything in law to the contrary, in an action for damages for personal injury or wrongful death arising out of medical malpractice, whether in contract or tort, ~~when an apportionment of damages pursuant to this section is attributed to a teaching hospital as defined in s. 408.07,~~ the court shall enter judgment ~~against the teaching hospital~~ on the basis of each ~~such~~ party's percentage of fault and not on the basis of the doctrine of joint and several liability.

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

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30 Remove lines 183-185, and insert:

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32 the court under certain circumstances; amending s. 766.112,

33 F.S.; eliminating the application of the doctrine of joint and

34 several liability to medical malpractice actions; creating s.