

Bill No. CS for SB 2-C

Amendment No. ____ Barcode 582772

CHAMBER ACTION

Senate

House

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

1/F/2R
07/11/2003 11:31 AM

.
. .
. .
. .
. .
. .

Senator Cowin moved the following amendment:

Senate Amendment (with title amendment)

On page 171, between lines 23 and 24,

insert:

Section 82. Section 766.1045, Florida Statutes, is created to read:

766.1045 Distribution of awards in medical negligence cases.--Damages awarded to a plaintiff in an action for personal injury or wrongful death arising out of medical negligence, whether in tort or contract, must be paid in the following amount and order of priority:

(1) Previously incurred and unpaid medical expenses must be paid.

(2) Court costs incurred on behalf of the plaintiff must be paid.

(3) Sixty percent of the amount remaining after complying with subsections (1) and (2) must be paid to the plaintiff.

(4) Forty percent of the amount remaining after

Bill No. CS for SB 2-C

Amendment No. ____ Barcode 582772

1 complying with subsections (1) and (2), or the amount billed
2 to the plaintiff, whichever is less, must be paid as
3 attorney's fees.

4 (5) Any amount remaining after the attorney's fees
5 have been paid must be paid to the plaintiff.

6
7 (Redesignate subsequent sections.)

8
9

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

11 And the title is amended as follows:

12 On page 17, line 11, after the semicolon,

13

14 insert:

15 creating s. 766.1045, F.S.; providing for the
16 distribution of awards in legal actions arising
17 out of medical negligence;

18
19
20
21
22
23
24
25
26
27
28
29
30
31