

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Grant offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 470 and 471, insert:

5 Section 11. Section 766.1025, Florida Statutes, is created  
6 to read:

7 766.1025 Attorney fees for medical negligence claims;  
8 limitation on judgment against medical malpractice insurer.—In  
9 any action for recovery of damages based on the death or  
10 personal injury of any person in which it is alleged that such  
11 death or injury resulted from the negligence of a health care  
12 provider as defined in s. 766.202, an insurer providing medical  
13 malpractice insurance coverage for the health care provider  
14 shall not pay any total amount of attorney fees, excluding  
15 costs, that exceeds 33 1/3 percent of the maximum amount  
16 demanded or 33 1/3 percent of the amount of any offer of

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17 admission of liability, settlement offer, or offer of judgment,  
18 whichever is greater.

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**T I T L E   A M E N D M E N T**

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Remove line 39 and insert:

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negligence cases in the state; creating s. 766.1025, F.S.;

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limiting the amount of attorney fees paid by medical

25

malpractice insurers in medical negligence actions;

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amending s. 766.106, F.S.;