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09300HB4847sam006

LRB093 14813 WGH 51987 a

1 AMENDMENT TO HOUSE BILL 4847

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4847, AS AMENDED, in  
3 the introductory clause of Section 330, by inserting  
4 "2-1706.5," after "2-1105.01,"; and

5 in Section 330, by inserting after Sec. 2-1704 the following:

6 "(735 ILCS 5/2-1706.5 new)  
7 Sec. 2-1706.5. Standards for economic and non-economic  
8 damages.

9 (a) In any medical malpractice action in which economic and  
10 non-economic damages may be awarded, the following standards  
11 shall apply:

12 (1) In a case of an award against a hospital and its  
13 personnel, the total amount of non-economic damages shall  
14 not exceed \$750,000 awarded to all plaintiffs in any civil  
15 action arising out of the care.

16 (2) In a case of an award against a physician and the  
17 physician's business or corporation entity, the total  
18 amount of non-economic damages shall not exceed \$500,000  
19 awarded to all plaintiffs in any civil action arising out  
20 of the care.

21 (3) In awarding damages in a medical malpractice case,  
22 the finder of fact shall render verdicts with a specific  
23 award of damages for economic loss, if any, and a specific  
24 award of damages for non-economic loss, if any.

1       (b) In any medical malpractice action where an individual  
2 plaintiff earns less than the annual average weekly wage, as  
3 determined by the Industrial Commission, at the time the action  
4 is filed, any award may include an amount equal to the wage the  
5 individual plaintiff earns or the annual average weekly wage.

6       (c) Any party in a medical malpractice case may introduce  
7 annuity evidence to inform the fact finder about the time value  
8 of an award and its ability to cover the plaintiff's damages  
9 over time.

10       (d) If any provision of this Section or its application to  
11 any person or circumstance is held invalid, the invalidity of  
12 that provision or application does not affect other provisions  
13 or applications of this Section."