

# HOUSE BILL 930

D3

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By: **Delegates Elliott, Aumann, Bates, Beidle, Clagett, Conway, Costa, Eckardt, Frank, George, Kipke, Krebs, McComas, Minnick, Rudolph, Schulz, Stocksdales, Szeliga, and Wood**

Introduced and read first time: February 5, 2014

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Health Care Malpractice – Limitation on Noneconomic Damages**

3 FOR the purpose of altering a certain limitation on noneconomic damages in health  
4 care malpractice claims; making conforming and stylistic changes; and  
5 generally relating to altering a certain limitation on noneconomic damages in  
6 health care malpractice claims.

7 BY repealing and reenacting, without amendments,  
8 Article – Courts and Judicial Proceedings  
9 Section 3–2A–09(a)  
10 Annotated Code of Maryland  
11 (2013 Replacement Volume and 2013 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article – Courts and Judicial Proceedings  
14 Section 3–2A–09(b)(1)  
15 Annotated Code of Maryland  
16 (2013 Replacement Volume and 2013 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Courts and Judicial Proceedings**

20 3–2A–09.

21 (a) This section applies to an award under § 3–2A–05 of this subtitle or a  
22 verdict under § 3–2A–06 of this subtitle for a cause of action arising on or after  
23 January 1, 2005.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) (1) (i) Except as provided in paragraph (2)(ii) of this subsection, an  
2 award or verdict under this subtitle for noneconomic damages for a cause of action  
3 arising between January 1, 2005, and December 31, 2008, inclusive, may not exceed  
4 \$650,000.

5 (ii) 1. The limitation on noneconomic damages provided  
6 under subparagraph (i) of this paragraph shall increase by \$15,000 on January 1 of  
7 each year [beginning] **BETWEEN January 1, 2009, AND DECEMBER 31, 2013.**

8 2. The increased amount shall apply to causes of action  
9 arising between January 1 and December 31 of that year, inclusive.

10 (iii) **EXCEPT AS PROVIDED IN PARAGRAPH (2)(II) OF THIS**  
11 **SUBSECTION, AN AWARD OR A VERDICT UNDER THIS SUBTITLE FOR**  
12 **NONECONOMIC DAMAGES:**

13 1. **FOR A CAUSE OF ACTION ARISING BETWEEN**  
14 **JANUARY 1, 2014, AND OCTOBER 1, 2014, INCLUSIVE, MAY NOT EXCEED**  
15 **\$740,000; AND**

16 2. **FOR A CAUSE OF ACTION ARISING ON OR AFTER**  
17 **OCTOBER 1, 2014, MAY NOT EXCEED \$500,000.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 October 1, 2014.