



Sen. Denny Jacobs

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09300HB4847sam002

LRB093 14813 AMC 50914 a

1 AMENDMENT TO HOUSE BILL 4847

2 AMENDMENT NO. _____. Amend House Bill 4847, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment No.
4 1, on page 35, line 26, after "2-1105.01,", by inserting
5 "2-1706.5,"; and

6 on page 43, immediately below line 18, by inserting the
7 following:

8 "(735 ILCS 5/2-1706.5 new)

9 Sec. 2-1706.5. Standards for economic and non-economic
10 damages.

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

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

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

23 (3) In awarding damages in a medical malpractice case,
24 the finder of fact shall render verdicts with a specific

1 award of damages for economic loss, if any, and a specific
2 award of damages for non-economic loss, if any.

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

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

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