

MAINE STATE LEGISLATURE

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L.D. 2400
(Filing No. H-728)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
112TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to S.P. 958, L.D. 2400,
Bill, "AN ACT Relating to Medical and Legal Profes-
sional Liability."

Amend the bill in section 16 by striking out the
amending clause (page 15, lines 23 and 24 in L.D.)
and inserting in its place the following:

'Sec. 16. 24 MRSA c. 21, sub-cc. VI, VII, VIII
and IX, are enacted to read:'

Further amend the bill in section 16 in that part
designated "§8303." by striking out all of the first
line (page 18, line 28 in L.D.) and inserting in its
place the following:

'§2961. Contingent fees'

Further amend the bill in section 16 by inserting
at the end the following:

'SUBCHAPTER IX

DAMAGES LIMITATION

§2971. Itemized verdict in action for professional
negligence

In any action for professional negligence, the
court shall instruct the jury that, if the jury finds
a verdict awarding damages, it shall in its verdict
specify the applicable elements of special and gener-
al damages upon which the award is based and the
amount assigned to each element, including, but not
limited to, medical expenses, loss of earnings, im-
pairment of earning ability and pain and suffering.
In any action for professional negligence, no verdict

HOUSE AMENDMENT "A" to S.P. 958, L.D. 2400

1 may award damages for pain and suffering which exceed
2 the sum of \$250,000.'

3 STATEMENT OF FACT

4 This amendment adds to the bill a \$250,000 cap on
5 pain and suffering damages in medical malpractice ac-
6 tions.

7 6023041486

Filed by Rep. Stetson of Damariscotta
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House

4/14/86

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