May 17, 2006

H 2184. PERIODIC PAYMENTS FOR MEDICAL MALPRACTICE . Filed 5/17/06. *TO ALLOW FOR PAYMENT OF FUTURE EXPENSES ARISING FROM MEDICAL MALPRACTICE ACTIONS TO BE BY PERIODIC PAYMENTS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON HEALTH CARE*. Enacts new GS 90-21.18E, to provide that (1) in medical malpractice actions, the form of the fact finder's verdict or award of damages must indicate specifically what amount is awarded for future economic damages, and (2) upon the award of future economic damages in excess of $100,000, the judge may order that the future economic damages be paid in whole or in part by periodic payment rather than by one lump-sum payment, should one of the parties so request. The proposed new statute further provides that when future economic damages are payable periodically, liability for the future payments ends with the death of the plaintiff, unless the plaintiff is survived by persons to whom he or she owed a duty of support. Effective October 1, 2006, and applicable to actions filed on or after that date.
Intro. by England, Nye, Wright, Rapp. GS 90