

HB 2107 -- COLLATERAL SOURCE RULE

SPONSOR: McGaugh

This bill specifies that if prior to trial a defendant or his or her insurer or authorized representative, or any combination of them, pays all or part of a plaintiff's special damages, the special damages claimed by a plaintiff that were satisfied by that payment are not recoverable from that defendant.

If the payments were included in a plaintiff's claim for special damages at trial, the defendant must be entitled to deduct and receive a credit for the payments from any judgment as specified.

Parties may introduce evidence of the cost of the medical care or treatment rendered or to be rendered to the plaintiff that are reasonable, necessary, and a proximate result of the negligence or fault of any party, however the cost of any medical care or treatment must not exceed the actual dollar amounts paid or owed by the plaintiff for the medical treatment after adjustment for any contractual discounts, price reduction, or write-off by any person or entity.

Evidence of necessary future medical care or treatment to be rendered must be limited to the amount necessary to satisfy the actual cost of the medical care or treatment.

This bill is similar to HB 596 (2015) and SB 227 (2015).