

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 591, Page 7,
2 Section 407.025, Line 154, by inserting after said section and line the following:

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4 "490.715. 1. No evidence of collateral sources, or payments rendered under subsection 2 of
5 this section, shall be admissible other than such evidence provided for in this section.

6 2. If prior to trial a defendant or his or her insurer or authorized representative, or any
7 combination of them, pays all or any part of a plaintiff's special damages, then any portion of a
8 plaintiff's claims for special damages that are satisfied by a payment from a defendant or the
9 defendant's insurer or authorized representative, or any combination of them, are not recoverable
10 from that defendant.

11 3. If such payments described in subsection 2 of this section are included in a plaintiff's
12 claim for special damages at trial, the defendant who made the payment, or on whose behalf the
13 payment was made, shall be entitled to deduct and receive a credit for such payments from any
14 judgment as provided for in section 490.710.

15 4. This section does not require the exclusion of evidence admissible for another proper
16 purpose.

17 5. (1) Except as provided in subsection 2 of this section, ~~[parties]~~ any party may introduce
18 evidence of the actual cost of the medical care or treatment rendered to a plaintiff, or a patient
19 whose care is at issue in a plaintiff's case. Actual cost of the medical care or treatment shall be
20 reasonable, necessary, and a proximate result of the negligence or fault of any party.

21 (2) For purposes of this subsection, the phrase "actual cost of the medical care or treatment"
22 shall be defined as a sum of money not to exceed the dollar amounts paid by or on behalf of a
23 plaintiff, or a patient whose care is at issue in a plaintiff's case, plus any remaining dollar amount
24 necessary to satisfy the financial obligation for medical care or treatment by a health care provider
25 after adjustment for any contractual discounts, price reduction, or write-off by any person or entity.

26 (3) No party shall introduce evidence of the amount billed for medical care or treatment
27 rendered to a plaintiff, or a patient whose care is at issue in a plaintiff's case, if the amount billed has
28 been discounted under any contract, price reduction, or write-off by any person or entity, or satisfied
29 by payment of an amount less than the amount billed for that medical care or treatment."; and

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31 Further amend said bill by amending the title, enacting clause, and intersectional references
32 accordingly.

Action Taken _____ Date _____