

Sixty-first  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1390

Introduced by

Representatives Belter, Schneider

Senator Grindberg

1 A BILL for an Act to amend and reenact section 32-42-02 of the North Dakota Century Code,  
2 relating to noneconomic damages in health care malpractice actions.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 32-42-02 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **32-42-02. Noneconomic damages limited - Reduction of award.** With respect to a  
7 health care malpractice action or claim, the total amount of compensation that may be awarded  
8 to a claimant or members of the claimant's family for noneconomic damage resulting from an  
9 injury alleged under the action or claim may not exceed ~~five hundred thousand~~ one million  
10 dollars, regardless of the number of health care providers and other defendants against whom  
11 the action or claim is brought or the number of actions or claims brought with respect to the  
12 injury. With respect to actions heard by a jury, the jury may not be informed of the limitation  
13 contained in this section. If necessary, the court shall reduce the damages awarded by a jury  
14 to comply with the limitation in this section.