

FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1349

Introduced by

Representatives Koppelman, O'Brien, D. Ruby, Vetter

Senators Hogan, Sickler, Roers, Kessel

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

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.**

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