

HB 398 -- Admissibility of Medical Treatment Evidence

Sponsor: Flook

Currently, the value of medical treatment is the dollar amount necessary to satisfy the financial obligation to the health care provider. This bill changes the determination of the cost by specifying that there is a rebuttable presumption that it is the value of the original amount charged for medical services provided by a health care provider, not the amount that was charged for the services less any payments or reductions received from a collateral source.

The bill also requires any motion requesting a hearing to determine the original amount charged for medical treatment services prior to any payments, collateral source payments, or discounts to be made by the defendant prior to trial.