

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 922, Page 1, Section A, Line 2, by inserting after
2 all of said section and line the following:
3

4 "490.715. 1. No evidence of collateral sources, or payments rendered under subsection 2 of this
5 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 combination
7 of them, pays all or any part of a plaintiff's special damages, then any portion of a plaintiff's claims for special
8 damages that are satisfied by a payment from a defendant or the defendant's insurer or authorized
9 representative, or any combination of them, are not recoverable from that defendant.

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

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

15 5. (1) Except as provided in subsection 2 of this section, ~~[parties]~~ in any action wherein a plaintiff
16 seeks to recover for personal injury, bodily injury, or death, any party may introduce evidence of the actual
17 cost of the medical care or treatment rendered to a plaintiff, or ~~[a patient whose care is at issue]~~ to the person
18 for whose injury or death plaintiff seeks to recover. Actual cost of the medical care or treatment shall be
19 reasonable, necessary, and a proximate result of the negligence or fault of any party.

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

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

29 6. The actual cost of medical care or treatment rendered to a plaintiff, or a patient whose care is at
30 issue in a plaintiff's case, and discounts pursuant to any contract, price reduction, or write off shall be
31 admissible evidence relevant to the potential cost of future treatment of the same type or kind to that plaintiff
32 or patient whose care is at issue in a plaintiff's case."; and

33
34 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken _____ Date _____