

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 78** SLS 16RS 146

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.: **w/ PROP #2 SEN COMM AMD**

Sub. Bill For.:

Date: April 25, 2016 8:04 AM	Author: GATTI
Dept./Agy.: Division of Administration	Analyst: Matthew LaBruyere
Subject: Malpractice	

MALPRACTICE EG NO IMPACT See Note
Increases medical malpractice cap for child brain injuries. (gov sig)

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Present law relative to medical malpractice limits the total amount recoverable for all malpractice claims for injuries to or death of a patient, exclusive of future medical care and related benefits, to a maximum of \$500,000 plus interest and cost.

Proposed committee amendment creates an exception to present law by providing that when such claims are not against the state or a state health care providers, the total amount recoverable for certain malpractice claims for catastrophic brain injuries to a child, exclusive of future medical care and related benefits, shall not exceed five million dollars plus interest and costs. However, proposed law applies only when either (1) a medical review panel renders a unanimous opinion in favor of the claimant as provided in the expert opinions stated in present law or (2) liability is determined unanimously by a jury.

EXPENDITURES	2016-17	2017-18	2018-19	2019-20	2020-21	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2016-17	2017-18	2018-19	2019-20	2020-21	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on governmental expenditures as a result of this measure.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate Dual Referral Rules House

13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux

Evan Brasseaux
Staff Director