

April 18, 2007

**H 1670. PERIODIC PAYMENTS FOR MEDICAL MALPRACTICE.** Filed 4/18/07. *TO ALLOW FOR PAYMENT OF FUTURE EXPENSES ARISING FROM MEDICAL MALPRACTICE ACTIONS TO BE BY PERIODIC PAYMENTS.*

To be summarized in tomorrow's *Daily Bulletin*.

**Intro. by England, Rapp, Goforth.**

GS 90

April 19, 2007

**H 1670. PERIODIC PAYMENTS FOR MEDICAL MALPRACTICE.** Filed 4/18/07. *TO ALLOW FOR PAYMENT OF FUTURE EXPENSES ARISING FROM MEDICAL MALPRACTICE ACTIONS TO BE BY PERIODIC PAYMENTS.*

Enacts new GS 90-21.19, to provide that in medical malpractice actions, (1) the form of the fact finder's verdict or award of damages must indicate specifically what amount is awarded for future economic damages and (2) upon the award of future economic damages in excess of \$100,000, the judge may order that the future economic damages be paid in whole or in part by periodic payment rather than by one lump-sum payment, should one of the parties so request. The proposed new statute further provides that when future economic damages are payable periodically, liability for the future payments ends with the death of the plaintiff, unless the plaintiff is survived by persons to whom the plaintiff owed a duty of support, in which case the court that rendered the original judgment may modify the judgment to provide that payments continue. Effective October 1, 2007, and applicable to actions filed on or after that date.

**Intro. by England, Rapp, Goforth.**

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