

Act No. 556
Public Acts of 2016
Approved by the Governor
January 6, 2017
Filed with the Secretary of State
January 10, 2017
EFFECTIVE DATE: April 10, 2017

**STATE OF MICHIGAN
98TH LEGISLATURE
REGULAR SESSION OF 2016**

Introduced by Senator Shirkey

ENROLLED SENATE BILL No. 1104

AN ACT to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” (MCL 600.101 to 600.9947) by adding section 1482.

The People of the State of Michigan enact:

Sec. 1482. (1) Notwithstanding any other law to the contrary, in an action that alleges a medical malpractice claim, both of the following apply:

(a) The damages recoverable for past medical expenses or rehabilitation service expenses shall not exceed the actual damages for medical care that arise out of the alleged malpractice.

(b) Except for evidence of the actual damages for medical care, the court shall not permit a plaintiff to introduce evidence of past medical expenses or rehabilitation service expenses at trial.

(2) As used in this section:

(a) “Actual damages for medical care” means both of the following:

(i) The dollar amount actually paid for past medical expenses or rehabilitation service expenses by or on behalf of the individual whose medical care is at issue, including payments made by insurers, but excluding any contractual discounts, price reductions, or write-offs by any person.

(ii) Any remaining dollar amount that the plaintiff is liable to pay for the medical care.

(b) “Person” means an individual, partnership, corporation, association, governmental entity, or other legal entity.

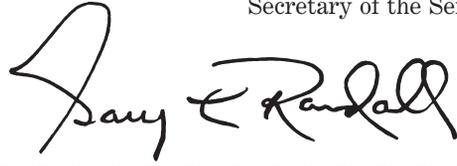
Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

Enacting section 2. Section 1482 of the revised judicature act of 1961, 1961 PA 236, as added by this amendatory act, applies to an action filed on or after the effective date of this amendatory act.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved

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Governor