

## Session 116 - (2005-2006)

### **H 3465 General Bill, By Davenport, Battle, Kirsh, Leach, Littlejohn and G.R. Smith**

**Similar (H 3339)**

**Summary:** Medical Claims Review Office established within the Insurance Department

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 32 TO TITLE 15 SO AS TO ESTABLISH A CAP ON THE AWARD FOR NONECONOMIC COMPENSATORY DAMAGES IN MEDICAL MALPRACTICE ACTIONS, TO AUTHORIZE THE PERIODIC PAYMENT OF FUTURE DAMAGES IN LIEU OF A LUMP-SUM PAYMENT, AND TO ESTABLISH MAXIMUM LIMITS FOR ATTORNEY'S FEES THAT ARE TO BE PAID ON A CONTINGENCY FEE; AND TO ESTABLISH THE MEDICAL CLAIMS REVIEW OFFICE WITHIN THE DEPARTMENT OF INSURANCE TO REVIEW CLAIMS FOR DAMAGES ALLEGEDLY RESULTING FROM MEDICAL MALPRACTICE AND TO ESTABLISH THE POWERS, DUTIES, AND PROCEDURES OF THIS OFFICE AND OF MEDICAL CLAIMS REVIEW PANELS; AND TO REQUIRE A REVIEW OF A CLAIM FOR SUCH DAMAGES BY A PANEL OF THE MEDICAL CLAIMS REVIEW OFFICE AS A PREREQUISITE TO FILING A LAWSUIT.

**02/03/05 House Introduced and read first time HJ-17**

**02/03/05 House Referred to Committee on Judiciary HJ-17**