



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 1158 (Substitute S-1 as reported)
Sponsor: Senator Jeff Irwin
Committee: Civil Rights, Judiciary, and Public Safety

CONTENT

The bill would amend the Revised Judicature Act to do the following:

- Increase, from \$280,000 to \$1.25 million, the maximum amount of damages recoverable for noneconomic loss in a case resulting from medical malpractice.
- Increase, from \$500,000 to \$2.5 million, the maximum amount of damages recoverable for noneconomic loss in a case of medical malpractice resulting in certain permanent disabilities.
- Expand the list of permanent disabilities that would qualify a case of medical malpractice for the higher amount of recoverable damages.
- Specify that the statutory maximums for recoverable damages would not apply if it were proven that the defendant acted with gross negligence, intentional wrongdoing, fraud, or falsified medical records, among other things.

MCL 600.1483

BRIEF RATIONALE

Generally, noneconomic losses include damages for intangible losses while economic damages are compensation for tangible monetary losses. According to testimony before the Senate Committee on Civil Rights, Judiciary, and Public Safety, the current cap on noneconomic damages does not fairly compensate average individuals who have experienced medical malpractice and whose losses are not always considered economic damages. Accordingly, it has been suggested to increase the cap on noneconomic damages for medical malpractice to better compensate those who have experienced damages.

Legislative Analyst: Eleni Lionas

FISCAL IMPACT

The bill would have no fiscal impact on the State or local courts.

Date Completed: 12-11-24

Fiscal Analyst: Michael Siracuse