

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

***** 600.1482.added THIS SECTION IS ADDED EFFECTIVE APRIL 10, 2017 *****

600.1482.added Medical malpractice claim; applicable provisions; definitions.

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.

History: Add. 2016, Act 556, Eff. Apr. 10, 2017.

Compiler's note: Enacting section 2 of Act 556 of 2016 provides:

"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."