

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 8.01-581.15 of the Code of Virginia, relating to limitation on medical*
3 *malpractice actions.*

4 [S 808]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 8.01-581.15 of the Code of Virginia is amended and reenacted as follows:**

8 § 8.01-581.15. Limitation on recovery in certain medical malpractice actions.

9 In any verdict returned against a health care provider in an action for malpractice where the act or
10 acts of malpractice occurred on or after August 1, 1999, which is tried by a jury or in any judgment
11 entered against a health care provider in such an action which is tried without a jury, the total amount
12 recoverable for any injury to, or death of, a patient shall not exceed \$1.5 million. The maximum
13 recovery limit of \$1.5 million shall increase on July 1, 2000, and each July 1 thereafter by \$50,000 per
14 year; however, the annual increase on July 1, 2007, and the annual increase on July 1, 2008, shall be
15 \$75,000 per year. Each annual increase shall apply to the act or acts of malpractice occurring on or after
16 the effective date of the increase. The July 1, 2008, increase shall be the final annual increase.

17 *Where the act or acts of malpractice occurred prior to August 1, 1999, the total amount recoverable*
18 *for any injury to, or death of, a patient shall not exceed the limitation on recovery set forth in this*
19 *statute as it was in effect when the act or acts of malpractice occurred.*

20 In interpreting this section, the definitions found in § 8.01-581.1 shall be applicable.

21 **2. That the provisions of this act are declaratory of existing law.**

ENROLLED

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