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**SENATE BILL NO. 1107**

Offered January 13, 2021

Prefiled December 2, 2020

A *BILL to amend and reenact § 8.01-581.15 of the Code of Virginia, relating to limitation on recovery in certain medical malpractice actions.*

Patron—Stanley

Referred to Committee on the Judiciary

**Be it enacted by the General Assembly of Virginia:**

**1. That § 8.01-581.15 of the Code of Virginia is amended and reenacted as follows:**

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

In any verdict returned against a health care provider in an action for malpractice where the act or acts of malpractice occurred on or after August 1, 1999, and prior to July 1, 2021, which is tried by a jury or in any judgment entered against a health care provider in such an action which is tried without a jury, the total amount recoverable for any injury to, or death of, a patient shall not exceed the following, corresponding amount:

August 1, 1999, through June 30, 2000	\$1.50 million
July 1, 2000, through June 30, 2001	\$1.55 million
July 1, 2001, through June 30, 2002	\$1.60 million
July 1, 2002, through June 30, 2003	\$1.65 million
July 1, 2003, through June 30, 2004	\$1.70 million
July 1, 2004, through June 30, 2005	\$1.75 million
July 1, 2005, through June 30, 2006	\$1.80 million
July 1, 2006, through June 30, 2007	\$1.85 million
July 1, 2007, through June 30, 2008	\$1.925 million
July 1, 2008, through June 30, 2012	\$2.00 million
July 1, 2012, through June 30, 2013	\$2.05 million
July 1, 2013, through June 30, 2014	\$2.10 million
July 1, 2014, through June 30, 2015	\$2.15 million
July 1, 2015, through June 30, 2016	\$2.20 million
July 1, 2016, through June 30, 2017	\$2.25 million
July 1, 2017, through June 30, 2018	\$2.30 million
July 1, 2018, through June 30, 2019	\$2.35 million
July 1, 2019, through June 30, 2020	\$2.40 million
July 1, 2020, through June 30, 2021	\$2.45 million
July 1, 2021, through June 30, 2022	\$2.50 million
July 1, 2022, through June 30, 2023	\$2.55 million
July 1, 2023, through June 30, 2024	\$2.60 million
July 1, 2024, through June 30, 2025	\$2.65 million
July 1, 2025, through June 30, 2026	\$2.70 million
July 1, 2026, through June 30, 2027	\$2.75 million
July 1, 2027, through June 30, 2028	\$2.80 million
July 1, 2028, through June 30, 2029	\$2.85 million
July 1, 2029, through June 30, 2030	\$2.90 million
July 1, 2030, through June 30, 2031	\$2.95 million

In any verdict returned against a health care provider in an action for malpractice where the act or acts of malpractice occurred on or after July 1, 2021, which is tried by a jury or in any judgment entered against a health care provider in such an action which is tried without a jury, there shall be no limit on the total amount recoverable for any injury to, or death of, a patient shall not exceed \$3 million. Each annual increase shall apply to the act or acts of malpractice occurring on or after the effective date of the increase.

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

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

INTRODUCED

SB1107