

Senate File 2359 - Introduced

SENATE FILE 2359
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3135)

A BILL FOR

1 An Act relating to medical expenses, including evidence offered
2 to prove past medical expenses and recoverable damages for
3 medical expenses.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **622.4 Medical expenses.**

2 Evidence offered to prove past medical expenses shall be
3 limited to evidence of the amounts actually paid to satisfy
4 the bills that have been satisfied, regardless of the source
5 of payment, and evidence of the amounts actually necessary
6 to satisfy the bills that have been incurred but not yet
7 satisfied. Evidence of the amounts actually necessary to
8 satisfy the bills that have been incurred shall not exceed
9 the amount by which the bills could be satisfied by the
10 claimant's health insurance, regardless of whether such health
11 insurance is used or will be used to satisfy the bills. This
12 section does not impose upon any party an affirmative duty to
13 seek a reduction in billed charges to which the party is not
14 contractually entitled.

15 Sec. 2. NEW SECTION. **668.14A Recoverable damages for**
16 **medical expenses.**

17 1. In an action brought to recover damages for personal
18 injury, the damages that may be recovered by a claimant for the
19 reasonable and necessary cost or value of medical care rendered
20 shall not exceed the sum of the amounts actually paid by or
21 on behalf of the injured person to the health care providers
22 who rendered treatment and any amounts actually necessary to
23 satisfy the medical care charges that have been incurred but
24 not yet satisfied.

25 2. This section does not apply to actions governed by
26 section 147.136.

27

EXPLANATION

28 The inclusion of this explanation does not constitute agreement with
29 the explanation's substance by the members of the general assembly.

30 This bill relates to medical expenses, including evidence
31 offered to prove past medical expenses and recoverable damages
32 for medical expenses.

33 The bill provides that evidence offered to prove such
34 expenses shall be limited to evidence of the amounts that were
35 actually paid to satisfy medical bills that have been satisfied

1 and evidence of the amounts necessary to satisfy medical bills
2 that have not yet been satisfied. The bill additionally
3 provides that evidence of the amounts actually necessary to
4 satisfy medical bills that have been incurred shall not exceed
5 the amount by which the medical bills could be satisfied
6 by the claimant's health insurance, regardless of whether
7 such health insurance is used or will be used to satisfy the
8 medical bills. The bill does not impose an affirmative duty
9 to seek a reduction in billed charges to which the party is not
10 contractually entitled.

11 The bill limits the damages that may be recovered in a
12 personal injury action. The bill provides the damages that may
13 be recovered by a claimant for the reasonable and necessary
14 cost of medical care rendered shall not exceed the sum of the
15 amounts actually paid by or on behalf of the injured person
16 to the health care providers who rendered treatment and any
17 amounts necessary to satisfy the medical care charges that
18 have been incurred but not yet satisfied. The bill provides
19 that this limitation does not apply to those actions governed
20 by Code section 147.136, which applies to malpractice actions
21 against certain medical professionals and hospitals.