

Senate Study Bill 3028 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON ZAUN)

A BILL FOR

1 An Act relating to recoverable damages and admissible evidence
2 for medical expenses.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 622.4, Code 2024, is amended to read as
2 follows:

3 **622.4 Medical expenses.**

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

17 2. Evidence offered to prove the value of any reasonable and
18 necessary medical care that the claimant will receive in the
19 future shall be limited to evidence of the amounts for which
20 the charges of the health care providers could be satisfied
21 if submitted to the claimant's health insurance, regardless
22 of whether such health insurance will be used to satisfy the
23 bills.

24 Sec. 2. Section 668.14A, subsection 1, Code 2024, is amended
25 to read as follows:

26 1. In an action brought to recover damages for personal
27 injury, the damages that may be recovered by a claimant for the
28 reasonable and necessary cost or value of medical care shall
29 not exceed the following:

30 a. For medical care that has already been rendered, shall
31 ~~not exceed~~ the sum of the amounts actually paid by or on behalf
32 of the injured person to the health care providers who rendered
33 treatment and any amounts actually necessary to satisfy the
34 medical care charges that have been incurred but not yet
35 satisfied.

1 b. For any reasonable and necessary medical care that the
2 claimant will receive in the future, the sum of the amounts
3 actually necessary to provide that care to the claimant.

4 EXPLANATION

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

7 This bill relates to recoverable damages and admissible
8 evidence for medical expenses in personal injury actions.

9 The bill provides that medical expense shall not exceed the
10 sum of the amounts paid for medical care already rendered and
11 future medical care that the claimant will receive. The bill
12 provides that evidence to prove future medical care shall be
13 calculated by providing the amounts for which the charges of
14 the health care providers could be satisfied if submitted to
15 the claimant's health insurance, regardless of whether that
16 health insurance will be used.