

SSB 5209 - S AMD 136

By Senator Franklin

NOT ADOPTED 03/13/2003

1 On page 4, beginning on line 33, after "person" strike all material
2 through "negligence" on line 34 and insert "or entity in connection
3 with an action based upon professional negligence in health care"

4 On page 5, after line 19, insert the following:

5 "(e) If there is no amount recovered, or a defense verdict, then
6 subsection (1) of this section applies to attorneys' fees."

EFFECT: Both plaintiff and defense attorney fees are limited to a sliding scale based upon recovery, or if no recovery, then to reasonable fees as determined by the court.

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