

HOUSE BILL 3464

By McCord

AN ACT to amend Tennessee Code Annotated, Title 24;
Title 25 and Title 29, relative to damages.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 24, Chapter 7, Part 1, is amended by adding the following language as a new, appropriately designated section:

§ 24-7-1__.

(a) Unless otherwise specified, for purposes of this section:

(1) "Charged expenses" means the amount charged by a provider for any services provided to the claimant. Such services include, but are not limited to, reasonable and necessary medical care, rehabilitation services, custodial care and any other such services; and

(2) "Settled amount" means the actual amount paid from the assets of the claimant or the claimant's immediate family for the charged expenses; provided, "settled amount" does not mean any portion of the charged expenses paid by any insurance company.

(b) In any civil action in which the defendant's liability is either admitted or established, and in which the claimant intends to prove damages arising from personal injury, the claimant shall submit into evidence:

(1) Any receipts of claimant's charged expenses resulting from such personal injury; and

(2) Any written instrument evidencing the settled amount of such charged expenses if the amounts differ.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.