

SENATE BILL 3486

By Ramsey

AN ACT to amend Tennessee Code Annotated, Title 29,
Chapter 26, Part 1, relative to medical malpractice
actions.

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

SECTION 1. Tennessee Code Annotated, Section 29-26-119, is amended by designating the existing language as subsection (a) and adding the following language as a new subsection (b):

(b)

(1) In any medical malpractice action in which liability is admitted or established, the damages awarded may include, in addition to other elements of damages authorized by law, noneconomic losses; provided, however, the damages awarded to a plaintiff for such noneconomic losses shall not exceed an aggregate total of one million dollars (\$1,000,000).

(2) As used in subdivision (b)(1), "noneconomic losses" means damages for physical and emotional pain and suffering, inconvenience, discomfort, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium, injury to reputation, punitive damages, and all other nonpecuniary losses of any kind or nature.

SECTION 2. This act shall take effect January 1, 2011, and shall apply to all medical malpractice actions filed on or after such date, the public welfare requiring it.