

AMENDMENTS TO LB961

(Amendments to E & R amendments, ER232)

Introduced by Lathrop

1           1. Insert the following new section:

2           Sec. 3. Section 44-2825, Reissue Revised Statutes of  
3 Nebraska, is amended to read:

4           44-2825 (1) The total amount recoverable under the  
5 Nebraska Hospital-Medical Liability Act from any and all health  
6 care providers and the Excess Liability Fund for any occurrence  
7 resulting in any injury or death of a patient may not exceed  
8 (a) five hundred thousand dollars for any occurrence on or before  
9 December 31, 1984, (b) one million dollars for any occurrence after  
10 December 31, 1984, and on or before December 31, 1992, (c) one  
11 million two hundred fifty thousand dollars for any occurrence after  
12 December 31, 1992, and on or before December 31, 2003, ~~and~~ (d)  
13 one million seven hundred fifty thousand dollars for any occurrence  
14 after December 31, 2003, and on or before December 31, 2014,  
15 and (e) two million two hundred fifty thousand dollars for any  
16 occurrence after December 31, 2014.

17           (2) A health care provider qualified under the act shall  
18 not be liable to any patient or his or her representative who  
19 is covered by the act for an amount in excess of five hundred  
20 thousand dollars for all claims or causes of action arising from  
21 any occurrence during the period that the act is effective with  
22 reference to such patient.

1                   (3) Subject to the overall limits from all sources as  
2 provided in subsection (1) of this section, any amount due from a  
3 judgment or settlement which is in excess of the total liability  
4 of all liable health care providers shall be paid from the Excess  
5 Liability Fund pursuant to sections 44-2831 to 44-2833.

6                   2. Renumber the remaining sections and correct the  
7 repealer accordingly.