

HCS HB 577 -- COLLATERAL SOURCE RULE

SPONSOR: Riley

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Special Committee on Litigation Reform by a vote of 6 to 2. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 5 to 3.

The following is a summary of the House Committee Substitute for HB 577.

This bill modifies the rule for determining the admissibility of evidence of collateral source payments in civil actions. The bill clarifies that Section 490.715, RSMo, applies only to a party in a plaintiff's case, and that no party shall introduce evidence of the amount billed for medical treatment if the amount has been discounted, written-off, or satisfied by payment of an amount less than the amount billed. The actual cost of medical care or treatment rendered and discounts shall be admissible evidence relevant to the potential cost of future treatment.

This bill is the same as HB 147 (2021).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that this bill creates a balance that will make sure that plaintiffs will get their fair compensation for injuries while not letting them profit off of the judicial system. Missouri has already passed a law similar to this bill in 2017 and this bill simply clears up the ambiguity that the courts say was in the 2017 bill.

Testifying for the bill were Representative Riley; Associated Industries of Missouri; Missouri Trucking Association; Missouri Chamber of Commerce and Industry; Missouri Railroad Association; Washington University; American Tort Reform Association; Missouri Insurance Coalition; Dana Frese, Healthcare Services Group, Missouri Hospital Association, Missouri Organization of Defense Lawyers; Missouri Society of Anesthesiologists, Signature Medical Group, Missouri Ambulatory Surgery Center Association; Missouri State Medical Association; Missouri Civil Justice Reform Coalition; Burlington Northern Santa Fe Railway Company American Property Casualty Insurance Association, and The Doctors Company.

OPPONENTS: Those who oppose the bill say that this bill limits

evidence that can be brought forward in court by the injured party, making it harder for them to be made whole. This bill punishes victims who have been injured and helps those who have committed the injuries. These medical bills that are offered already have to be verified by hospitals and medical facilities. This bill also harms those members of Medicare.

Testifying against the bill were Blake Heath, Missouri Association of Trial Attorneys; and Americans for Patient Access.

This bill is similar to HB 147 (2021).

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.