

MINA' BENTE OCHO NA LIHESLATURAN GUAHAN
2006 (SECOND) Regular Session

Bill No. 272 (EC)

Introduced by:

B.J.F. Cruz 

**AN ACT TO INCREASE ACCESS TO MEDICAL CARE
BY LIMITING AWARDS IN CASES OF MEDICAL
LIABILITY BY ADDING A NEW SECTION 10104 TO
TITLE 7 G.C.A.**

1 **BE IT ENACED BY THE PEOPLE OF GUAM:**

2 **Section 1.** A new Section 10104 is added to Title 7 of the Guam Code

3 Annotated to read as follows:

4 **"§10104. Caps on Damages.** In action for damages against any
5 physician arising out of the provision of or failure to provide health
6 care services, the physician shall not be liable for more than \$100,000
7 in any action for wrongful death, no more than Three Hundred
8 Thousand Dollars \$300,000 in any other tort action, including but not
9 limited to personal injury. A single cap applies regardless of the
10 number of defendants or other health care providers against whom
11 the claim is asserted or the number of separate causes of action upon
12 which the claim is based. All persons claiming to have sustained
13 damages as the result of the bodily injury or death of a single person
14 shall be considered a single plaintiff for purposes of this section."

1 **Section 2.** If any provision of this Act is held by a court to be invalid
2 or unenforceable for any reason, no other provision of law shall be affected
3 thereby, and to this end the provisions of this Act are hereby declared
4 severable.