

By: Senator(s) Doty, Wiggins

To: Judiciary, Division A

SENATE BILL NO. 2853

1 AN ACT TO DEFINE THE ADMISSIBILITY OF MEDICAL OR HEALTH CARE  
2 EXPENSES DURING TRIAL; TO BRING FORWARD SECTION 41-9-119,  
3 MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR EVIDENCE OF  
4 REASONABLENESS OF MEDICAL EXPENSES; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** In addition to any other limitation provided by  
7 law, the admissibility during trial and the recovery of medical  
8 and health care expenses incurred by an injured party shall be  
9 limited to:

10 (a) The amounts actually paid by or paid on behalf of  
11 an injured party; and

12 (b) Any other amounts that are required to be paid by  
13 or on behalf of an injured party, but shall not include the  
14 amounts billed by a health care provider for any such service, if  
15 such amounts are not required to be paid by or on behalf of the  
16 injured party.

17 **SECTION 2.** Section 41-9-119, Mississippi Code of 1972, is  
18 brought forward as follows:



19           41-9-119. Proof that medical, hospital, and doctor bills  
20 were paid or incurred because of any illness, disease, or injury  
21 shall be prima facie evidence that such bills so paid or incurred  
22 were necessary and reasonable.

23           **SECTION 3.** This act shall take effect and be in force from  
24 and after July 1, 2018.

