

## AMENDMENTS TO HOUSE BILL NO. 1037

Sponsor: REPRESENTATIVE SCHWEYER

Printer's No. 1201

1 Amend Bill, page 1, lines 19 through 22, by striking out all  
2 of said lines and inserting

3 Section 1. Section 505(a) and (d) of the act of March 20,  
4 2002 (P.L.154, No.13), known as the Medical Care Availability  
5 and Reduction of Error (Mcare) Act, are amended to read:  
6 Section 505. Punitive damages.

7 (a) Award.--Punitive damages may be awarded for conduct that  
8 is the result of the health care provider's [willful or] wanton  
9 conduct or reckless indifference to the rights of others. In  
10 assessing punitive damages, the trier of fact can properly  
11 consider the character of the health care provider's act, the  
12 nature and extent of the harm to the patient that the health  
13 care provider caused or intended to cause and the wealth of the  
14 health care provider.