

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

943Q0511

SENATE BILL NO. 85

Introduced by: Senators Knudson, Adelstein, Brown, Fryslie, Gant, Gray, Hansen (Tom),
Howie, Hunhoff (Jean), Novstrup (Al), Schmidt, and Tieszen and
Representatives Peters, Carson, Deadrick, Kirkeby, and Krebs

1 FOR AN ACT ENTITLED, An Act to clarify certain rules of evidence to determine the value
2 of services for which special damages may be awarded in health care malpractice cases.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 21-3 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 In determining what constitutes the reasonable value of the services for which special
7 damages may be awarded pursuant to § 21-3-12, both the amount billed for such services and
8 the amount paid for such services are admissible evidence.

