

3-2A-06.

(b) (4) The clerk of the court in which an action is filed under this [subsection] SUBTITLE shall forward a copy of the action to the ~~State Board of Physicians~~ ~~DEPARTMENT OF HEALTH AND MENTAL HYGIENE~~.

(f) (1) ~~Upon timely request, the trier of fact shall by special verdict or specific findings itemize by category and amount any damages assessed for incurred medical expenses, rehabilitation costs, and loss of earnings. Damages assessed for any future expenses, costs, and losses shall be itemized separately. If the verdict or findings include any amount for such expenses, costs, and losses, a~~ ~~THE TRIER OF FACT SHALL ITEMIZE THE VERDICT TO REFLECT THE MONETARY AMOUNT INTENDED FOR ANY OF THE FOLLOWING DAMAGES THAT ARE APPLICABLE TO THE ACTION:~~

- ~~(I) PAST MEDICAL EXPENSES;~~
- ~~(II) FUTURE MEDICAL EXPENSES;~~
- ~~(III) PAST LOSS OF EARNINGS;~~
- ~~(IV) FUTURE LOSS OF EARNINGS;~~
- ~~(V) PAST PECUNIARY LOSSES;~~
- ~~(VI) FUTURE PECUNIARY LOSSES;~~
- ~~(VII) OTHER PAST ECONOMIC DAMAGES;~~
- ~~(VIII) OTHER FUTURE ECONOMIC DAMAGES; AND~~
- ~~(IX) NONECONOMIC DAMAGES.~~

~~(2)~~ A party filing a motion for a new trial may object to the damages as excessive on the ground that the [claimant] PLAINTIFF has been or will be paid, reimbursed, or indemnified to the extent and subject to the limits stated in § 3-2A-05(h) of this subtitle.

~~(2)~~ (2) The court shall hold a hearing and receive evidence on the objection.

~~(3)~~ (3) (I) If the court finds from the evidence that the damages are excessive on the grounds stated in § 3-2A-05(h) of this subtitle, subject to the limits and conditions stated in § 3-2A-05(h) of this subtitle, it may grant a new trial as to such damages or may deny a new trial if the [claimant] PLAINTIFF agrees to a remittitur of the excess and the order required adequate security when warranted by the conditions stated in § 3-2A-05(h) of this subtitle.

(II) In the event of a new trial granted under this subsection, evidence considered by the court in granting the remittitur shall be admissible if offered at the new trial and the jury shall be instructed to consider such evidence in reaching its verdict as to damages.