

Amend **CSHB 4** as follows:

On page 54, line 19, strike SECTION 10.10 and insert a new SECTION 10.10, starting on line 19, to read as follows:

SECTION 10.10. Section 11.03, Medical Liability and Insurance Improvement Act (Article 4590i, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 11.03. LIMIT ON DAMAGES. [~~ALTERNATIVE PARTIAL LIMIT ON CIVIL LIABILITY~~]. [~~In the event that Section 11.02(a) of this subchapter is stricken from this subchapter or is otherwise invalidated by a method other than through legislative means, the following shall become effective:]~~ In an action on a health care liability claim where final judgment is rendered against a physician or health care provider, the limit of civil liability of each physician or health care provider for noneconomic damages shall be limited to an amount not to exceed \$250,000 except in health care liability claims where the injured patient is under 18 years of age or over 60 years of age, is mentally retarded as defined under Section 591.003(16), Health and Safety Code, or is mentally ill as defined under Section 571.003(14), Health and Safety Code or is disabled as defined by the Americans with Disabilities Act [~~for all past and future noneconomic losses recoverable by or on behalf of any injured person and/or the estate of such person, including without limitation as applicable past and future physical pain and suffering, mental anguish and suffering, consortium, disfigurement, and any other nonpecuniary damage, shall be limited to an amount not to exceed \$150,000~~].