

<b>Cases and Statutes Defining Economic and Noneconomic damages</b>			
<b>ALABAMA</b>			
		Cite	
	Non Economic	Ala.Code 1975 § 6-5-544	pain, suffering, inconvenience, physical impairment, disfigurement, loss of consortium, and other nonpecuniary damage
	Economic	No Definition Found	
<b>ALASKA</b>			
	Non Economic	AS § 09.55.549	compensation for pain, suffering, inconvenience, physical impairment, disfigurement, loss of enjoyment of life, loss of consortium, and other nonpecuniary damage, but may not include hedonic <b>damages</b> .
	Economic	AS § 09.55.549	objectively verifiable monetary losses incurred as a result of the provision of, use of, or payment for, or failure to provide, use, or pay for health care services or medical products, and includes past and future medical expenses, loss of past and future earnings, cost of obtaining domestic services, burial expenses, loss of use of property, cost of replacement or repair, loss of employment, and loss of business or employment opportunities
<b>AMERICAN SAMOA</b>			
	Non Economic	No Definition Found	
	Economic	No Definition Found	
<b>ARIZONA</b>			
	Non Economic	A.R.S. § 12-581	nonpecuniary harm for which damages are recoverable but does not include punitive or exemplary damages
	Economic	A.R.S. § 12-581	means pecuniary harm for which damages are recoverable
<b>ARKANSAS</b>			
	Non Economic	A.C.A. § 16-114-208	compensation for pain and suffering and other noneconomic loss recognized by law.
	Economic	A.C.A. § 16-114-208	including, but not limited to, the cost of reasonable and necessary medical services, rehabilitation services, custodial care, loss of services, and loss of earnings or earning capacity;
<b>CALIFORNIA</b>			
	Non Economic	West's Ann.Cal.Civ.Code § 1431.2	subjective, non-monetary losses including, but not limited to, pain, suffering, inconvenience, mental suffering, emotional distress, loss of society and companionship, loss of consortium, injury to reputation and humiliation.
	Economic	West's Ann.Cal.Civ.Code § 1431.2	objectively verifiable monetary losses including medical expenses, loss of earnings, burial costs, loss of use of property, costs of repair or replacement, costs of obtaining substitute domestic services, loss of employment and loss of business or employment opportunities.
<b>COLORADO</b>			
	Non Economic	C.R.S.A. § 13-64-202	nonpecuniary harm for which damages are recoverable under the laws of this state, but the term does not include punitive or exemplary damages.

	Economic	C.R.S.A. § 13-64-202	pecuniary harm for which damages are recoverable under the laws of this state
<b>CONNECTICUT</b>			
	Non Economic	C.G.S.A. § 52-572h	compensation determined by the trier of fact for all nonpecuniary losses including, but not limited to, physical pain and suffering and mental and emotional suffering
	Economic	C.G.S.A. § 52-572h	compensation determined by the trier of fact for pecuniary losses including, but not limited to, the cost of reasonable and necessary medical care, rehabilitative services, custodial care and loss of earnings or earning capacity excluding any noneconomic damages
<b>DELAWARE</b>			
	Non Economic	No Definition Found	
	Economic	No Definition Found	
<b>DISTRICT OF COLUMBIA</b>			
	Non Economic	No Definition Found	
	Economic	No Definition Found	
<b>FEDERATED STATES OF MICRONESIA</b>			
	Non Economic	No Definition Found	
	Economic	No Definition Found	
<b>FLORIDA</b>			
	Non Economic	West's F.S.A. § 766.202	nonfinancial losses that would not have occurred but for the injury giving rise to the cause of action, including pain and suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of capacity for enjoyment of life, and other nonfinancial losses to the extent the claimant is entitled to recover such damages under general law, including the Wrongful Death Act
	Economic	West's F.S.A. § 766.202	financial losses that would not have occurred but for the injury giving rise to the cause of action, including, but not limited to, past and future medical expenses and 80 percent of wage loss and loss of earning capacity to the extent the claimant is entitled to recover such damages under general law, including the Wrongful Death Act.
<b>GEORGIA</b>			
	Non Economic	Ga. Code Ann., § 51-13-1	damages for physical and emotional pain, discomfort, anxiety, hardship, distress, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium, injury to reputation, and all other nonpecuniary losses of any kind or nature. This term does not include past or future: Medical expenses, including rehabilitation and therapy; Wages or earnings capacity; Income; Funeral and burial expenses; The value of services performed by the injured in the absence of the injury or death including those domestic and other necessary services performed without compensation; or Other monetary expenses

	Economic		PARTIALLY DEFINED IN THE DEFINITION FOR NONECONOMIC DAMAGES	
<b>GUAM</b>				
	Non Economic	No Definition Found		
	Economic	No Definition Found		
<b>HAWAII</b>				
	Non Economic	HRS § 663-8.5	damages for pain and suffering, mental anguish, disfigurement, loss of enjoyment of life, loss of consortium, and all other nonpecuniary losses or claims.	
	Economic			
<b>IDAHO</b>				
	Non Economic	I.C. § 6-1601	subjective, nonmonetary losses including, but not limited to, pain, suffering, inconvenience, mental anguish, disability or disfigurement incurred by the injured party; emotional distress; loss of society and companionship; loss of consortium; or destruction or impairment of the parent-child relationship	
	Economic	I.C. § 6-1601	objectively verifiable monetary loss, including but not limited to out-of-pocket expenses, loss of earnings, loss of use of property, cost of replacement or repair, cost of obtaining substitute domestic services, loss of employment, medical expenses, or loss of business or employment opportunities.	
<b>ILLINOIS</b>				
	Non Economic	735 ILCS 5/2-1115.2	damages which are intangible, including but not limited to damages for pain and suffering, disability, disfigurement, loss of consortium, and loss of society.	
	Economic	735 ILCS 5/2-1115.2	all damages which are tangible, such as damages for past and future medical expenses, loss of income or earnings and other property loss.	
<b>INDIANA</b>				
	Non Economic	No Definition Found		
	Economic	No Definition Found		
<b>IOWA</b>				
	Non Economic	No Definition Found		
	Economic	No Definition Found		
<b>KANSAS</b>				
	Economic	KS ST § 60-3406	Current	costs of medical care and related benefits, lost wages and other economic losses incurred prior to the verdict

		KS ST § 60-3406	Future	costs of medical care and related benefits, lost wages, loss of earning capacity or other economic losses to be incurred after the verdict.
	Non Economic	757 P.2d 251	claims for pain and suffering, mental anguish, injury and disfigurement not affecting earning capacity, or losses which cannot be easily expressed in dollars and cents	
		789 P.2d 541	noneconomic damages is measured is such amount as a reasonable person estimates to be fair compensation when that amount appears to be in harmony with the evidence as arrived at without passion or prejudice.	
<b>KENTUCKY</b>				
	Non Economic	KRS § 304.39-020	pain, suffering, inconvenience, physical impairment, and other nonpecuniary damages recoverable under the tort law of this Commonwealth. The term does not include punitive or exemplary damages.	
	Economic	KRS § 304.39-020	medical expense, work loss, replacement services loss, and, if injury causes death, survivor's economic loss and survivor's replacement services loss. Noneconomic detriment is not loss. However, economic loss is loss although caused by pain and suffering or physical impairment.	
<b>LOUISIANA</b>				
	Non Economic	LSA-R.S. 22:680	any loss other than economic loss and includes but is not limited to pain, suffering, inconvenience, mental anguish, and other noneconomic damages otherwise recoverable under the laws of this state	
	Economic	No Definition Found		
<b>MAINE</b>				
	Non Economic	17-A M.R.S.A. § 1322 *	pain, suffering, inconvenience, physical impairment and other nonpecuniary damage.	
	Economic	17-A M.R.S.A. § 1322 *	economic detriment consisting of environmental clean-up expense, property loss, allowable expense, work loss, replacement services loss and, if injury causes death, dependent's economic loss and dependent's replacement services loss. Noneconomic detriment is not loss. Economic detriment is loss although caused by pain and suffering or physical impairment. "Economic loss" includes expenses of an emergency response by any public agency and critical investigation expenses.	
			* This definition come from a criminal statute not related to medical malpractice	
<b>MARSHALL ISLANDS</b>				
	Non Economic	No Definition Found		

	Economic	No Definition Found		
<b>MARYLAND</b>				
	Non Economic	MD Code, Courts and Judicial Proceedings, § 3-2A-01	Personal Injury	pain, suffering, inconvenience, physical impairment, disfigurement, loss of consortium, or other nonpecuniary injury
		MD Code, Courts and Judicial Proceedings, § 3-2A-01	Wrongful death	mental anguish, emotional pain and suffering, loss of society, companionship, comfort, protection, care, marital care, parental care, filial care, attention, advice, counsel, training, guidance, or education, or other noneconomic damages authorized under Subtitle 9 of this title
	Economic	MD Code, Courts and Judicial Proceedings, § 11-109	loss of earnings and medical expenses.	
<b>MASSACHUSETTS</b>				
	Non Economic	No Definition Found		
	Economic	No Definition Found		
<b>MICHIGAN</b>				
	Non Economic	M.C.L.A. 600.2945	any type of pain, suffering, inconvenience, physical impairment, disfigurement, mental anguish, emotional distress, loss of society and companionship, loss of consortium, injury to reputation, humiliation, or other nonpecuniary damages.	
	Economic	M.C.L.A. 600.2945	objectively verifiable pecuniary damages arising from medical expenses or medical care, rehabilitation services, custodial care, loss of wages, loss of future earnings, burial costs, loss of use of property, costs of repair or replacement of property, costs of obtaining substitute domestic services, loss of employment, or other objectively verifiable monetary losses	
<b>MINNESOTA</b>				
	Non Economic	No Definition Found		
	Economic	No Definition Found		
<b>MISSISSIPPI</b>				

	Non Economic	Miss. Code Ann. § 11-1-60	subjective, nonpecuniary damages arising from death, pain, suffering, inconvenience, mental anguish, worry, emotional distress, loss of society and companionship, loss of consortium, bystander injury, physical impairment, disfigurement, injury to reputation, humiliation, embarrassment, loss of the enjoyment of life, hedonic damages, other nonpecuniary damages, and any other theory of damages such as fear of loss, illness or injury. The term "noneconomic damages" shall not include punitive or exemplary damages	
	Economic	Miss. Code Ann. § 11-1-60	objectively verifiable pecuniary damages arising from medical expenses and medical care, rehabilitation services, custodial care, disabilities, loss of earnings and earning capacity, loss of income, burial costs, loss of use of property, costs of repair or replacement of property, costs of obtaining substitute domestic services, loss of employment, loss of business or employment opportunities, and other objectively verifiable monetary losses.	
<b>MISSOURI</b>				
	Non Economic	V.A.M.S. 538.205	damages arising from nonpecuniary harm including, without limitation, pain, suffering, mental anguish, inconvenience, physical impairment, disfigurement, loss of capacity to enjoy life, and loss of consortium but shall not include punitive damages	
	Economic	V.A.M.S. 538.205	damages arising from pecuniary harm including, without limitation, medical damages, and those damages arising from lost wages and lost earning capacity	
<b>MONTANA</b>				
	Non Economic	No Definition Found		
	Economic	No Definition Found		
<b>NEBRASKA</b>				
	Non Economic	NE ST § 25-21,185.08	monetary losses, including, but not limited to, medical expenses, loss of earnings and earning capacity, funeral costs, loss of use of property, costs of repair or replacement, costs of obtaining substitute domestic services, loss of employment, and loss of business or employment opportunities	
	Economic	NE ST § 25-21,185.08	subjective, nonmonetary losses, including, but not limited to, pain, suffering, inconvenience, mental suffering, emotional distress, loss of society and companionship, loss of consortium, injury to reputation, and humiliation, but shall not include economic damages	
<b>NEVADA</b>				
	Non Economic	N.R.S. 41A.011	damages to compensate for pain, suffering, inconvenience, physical impairment, disfigurement and other nonpecuniary damages.	
	Economic	N.R.S. 41A.007	damages for medical treatment, care or custody, loss of earnings and loss of earning capacity.	
<b>NEW HAMPSHIRE</b>				
	Non Economic	No Definition Found		

	Economic	No Definition Found		
<b>NEW JERSEY</b>				
	Non Economic	N.J.S.A. 17:30D-27	damages for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium, hedonic damages, injury to reputation, and all other nonpecuniary losses of any kind or nature.	
	Economic	N.J.S.A. 2C:35B-5 *	the cost of treatment and rehabilitation, medical expenses, loss of economic or educational potential, loss of productivity, absenteeism, support expenses, accidents or injury, and any other pecuniary loss proximately caused by the use of a controlled dangerous substance.	
			* This definition comes from a definition that applies to damages coming from the use of illegal drugs	
<b>NEW MEXICO</b>				
	Non Economic	No Definition Found		
	Economic	No Definition Found		
<b>NEW YORK</b>				
	Non Economic	McKinney's Insurance Law § 5102	pain and suffering and similar non-monetary detriment	
	Economic	McKinney's Insurance Law § 5102	Definition is very long, best to look at the statute	
<b>NORTH CAROLINA</b>				
	Non Economic	No Definition Found		
	Economic	No Definition Found		
<b>NORTH DAKOTA</b>				
	Non Economic	NDCC, 32-03.2-04	damages arising from pain, suffering, inconvenience, physical impairment, disfigurement, mental anguish, emotional distress, fear of injury, loss or illness, loss of society and companionship, loss of consortium, injury to reputation, humiliation, and other nonpecuniary damage.	
	Economic	NDCC, 32-03.2-04	damages arising from medical expenses and medical care, rehabilitation services, custodial care, loss of earnings and earning capacity, loss of income or support, burial costs, cost of substitute domestic services, loss of employment or business or employment opportunities and other monetary losses.	
<b>NORTHERN MARIANA ISLANDS</b>				
	Non Economic	No Definition Found		
	Economic	No Definition Found		
<b>OHIO</b>				

	Non Economic	R.C. § 2323.56	nonpecuniary harm that results from an injury to person that is a subject of a tort action, including, but not limited to, pain and suffering, loss of society, consortium, companionship, care, assistance, attention, protection, advice, guidance, counsel, instruction, training, or education, mental anguish, and any other intangible loss.	
	Economic	R.C. § 2323.56	All wages, salaries, or other compensation lost as a result of an injury to person that is a subject of a tort action; All expenditures for medical care or treatment, rehabilitation services, or other care, treatment, services, products, or accommodations as a result of an injury to person that is a subject of a tort action; Any other expenditures incurred as a result of an injury to person that is a subject of a tort action	
<b>OKLAHOMA</b>				
	Non Economic	63 Okl.St.Ann. § 1-1708.1C	all subjective, nonmonetary losses including, but not limited to, pain, suffering, inconvenience, mental anguish, emotional distress, loss of enjoyment of life, loss of society and companionship, loss of consortium, injury to reputation and humiliation; provided, however, "noneconomic damages" do not include exemplary damages, as defined in Section 9.1 of Title 23 of the Oklahoma Statutes;	
	Economic	63 Okl.St.Ann. § 2-424 *	the cost of treatment and rehabilitation, medical expenses, loss of economic or educational potential, loss of productivity, absenteeism, support expenses, accidents or injury, and any other pecuniary loss proximately caused by the illegal drug use;	
			* This definition comes from a definition that applies to damages coming from the use of illegal drugs	
<b>OREGON</b>				
	Non Economic	O.R.S. § 31.710	subjective, nonmonetary losses, including but not limited to pain, mental suffering, emotional distress, humiliation, injury to reputation, loss of care, comfort, companionship and society, loss of consortium, inconvenience and interference with normal and usual activities apart from gainful employment.	
	Economic	O.R.S. § 31.710	objectively verifiable monetary losses including but not limited to reasonable charges necessarily incurred for medical, hospital, nursing and rehabilitative services and other health care services, burial and memorial expenses, loss of income and past and future impairment of earning capacity, reasonable and necessary expenses incurred for substitute domestic services, recurring loss to an estate, damage to reputation that is economically verifiable, reasonable and necessarily incurred costs due to loss of use of property and reasonable costs incurred for repair or for replacement of damaged property, whichever is less.	



<b>PALAU</b>			
	Non Economic	No Definition Found	
	Economic	No Definition Found	
<b>PENNSYLVANIA</b>			
	Non Economic	No Definition Found	
	Economic	No Definition Found	
<b>PUERTO RICO</b>			
	Non Economic	No Definition Found	
	Economic	No Definition Found	
<b>RHODE ISLAND</b>			
	Non Economic	No Definition Found	
	Economic	No Definition Found	
<b>SOUTH CAROLINA</b>			
	Non Economic	Code 1976 § 15-32-210	nonpecuniary damages arising from pain, suffering, inconvenience, physical impairment, disfigurement, mental anguish, emotional distress, loss of society and companionship, loss of consortium, injury to reputation, humiliation, other nonpecuniary damages, and any other theory of damages including, but not limited to, fear of loss, illness, or injury
	Economic	Code 1976 § 15-32-210	pecuniary damages arising from medical expenses and medical care, rehabilitation services, costs associated with education, custodial care, loss of earnings and earning capacity, loss of income, burial costs, loss of use of property, costs of repair or replacement of property, costs of obtaining substitute domestic services, a claim for loss of spousal services, loss of employment, loss of business or employment opportunities, loss of retirement income, and other monetary losses.
<b>SOUTH DAKOTA</b>			
	Non Economic	SDCL § 21-3A-1	any nonpecuniary harm for which damages are recoverable, but the term does not include punitive or exemplary damages;
	Economic	SDCL § 21-3A-1	any pecuniary harm for which damages are recoverable
<b>TENNESSEE</b>			
	Non Economic	2007 WL 674652	pain and suffering, permanent impairment and/or disfigurement, and loss of enjoyment of life-both past and future.
	Economic	No Definition Found	
<b>TEXAS</b>			
	Non Economic	TX CIV PRAC & REM § 41.001	damages awarded for the purpose of compensating a claimant for physical pain and suffering, mental or emotional pain or anguish, loss of consortium, disfigurement, physical impairment, loss of companionship and society, inconvenience, loss of enjoyment of life, injury to reputation, and all other nonpecuniary losses of any kind other than exemplary damages.

	Economic	TX CIV PRAC & REM § 41.001	compensatory damages intended to compensate a claimant for actual economic or pecuniary loss; the term does not include exemplary damages or noneconomic damages.	
<b>UTAH</b>				
	Non Economic	U.C.A. 1953 § 58-37e-4 *	physical and emotional pain, suffering, physical impairment, emotional distress, mental anguish, disfigurement, loss of enjoyment, loss of companionship, services and consortium, and other nonpecuniary losses proximately caused by an individual's use of an illegal drug	
	Economic	U.C.A. 1953 § 58-37e-4 *	the cost of treatment and rehabilitation, medical expenses, loss of economic or educational potential, loss of productivity, absenteeism, support expenses, accidents or injury, and any other pecuniary loss proximately caused by the illegal drug use	
<b>VERMONT</b>			* This definition comes from a definition that applies to damages coming from the use of illegal drugs	
	Non Economic	No Definition Found		
	Economic	No Definition Found		
<b>VIRGIN ISLANDS</b>				
	Non Economic	VI ST T. 27 § 166	pain and suffering, loss of consortium, inconvenience; physical impairment; and disfigurement.	
	Economic	VI ST T. 27 § 166	medical costs, hospital costs; costs for custodial care, rehabilitation, and physical therapy; and lost earnings.	
<b>VIRGINIA</b>				
	Non Economic	No Definition Found		
	Economic	No Definition Found		
<b>WASHINGTON</b>				
	Non Economic	West's RCWA 4.56.250	subjective, nonmonetary losses, including, but not limited to pain, suffering, inconvenience, mental anguish, disability or disfigurement incurred by the injured party, emotional distress, loss of society and companionship, loss of consortium, injury to reputation and humiliation, and destruction of the parent-child relationship.	
	Economic	West's RCWA 4.56.250	objectively verifiable monetary losses, including medical expenses, loss of earnings, burial costs, loss of use of property, cost of replacement or repair, cost of obtaining substitute domestic services, loss of employment, and loss of business or employment opportunities	
<b>WEST VIRGINIA</b>				
	Non Economic	WV ADC 115-7-3	pain and suffering, or hedonic damages, court costs, post-judgment interest, attorneys' fees, extra-contractual damages, or punitive damages.	

	Economic	WV ADC 115-7-3	those special damages which are reduced to an actual dollar amount that can be presented to a jury in an action brought under the medical professional liability act to compensate a plaintiff for the monetary costs of a medical injury, such as lost earnings, past and future medical care and rehabilitation services	
<b>WISCONSIN</b>				
	Non Economic	W.S.A. 893.55	moneys intended to compensate for pain and suffering; humiliation; embarrassment; worry; mental distress; noneconomic effects of disability including loss of enjoyment of the normal activities, benefits and pleasures of life and loss of mental or physical health, well-being or bodily functions; loss of consortium, society and companionship; or loss of love and affection.	
	Economic	No Definition Found		
<b>WYOMING</b>				
	Non Economic	Const. Art. 10, § 4 *	generally includes, but is not limited to, losses such as pain and suffering, inconvenience, mental anguish, loss of capacity for enjoyment of life, loss of consortium, and other losses the claimant is entitled to recover as damages under general law.	
	Economic	Const. Art. 10, § 4 *	generally includes, but is not limited to, monetary losses such as past and future medical expenses, loss of past and future earnings, loss of use of property, costs of repair or replacement, the economic value of domestic services, loss of employment or business opportunities.	
			* Damages for Personal Injury or death connected to workers compensation	

## Lump Sum

Statutes and Cases Related to split out of Economic and Noneconomic damages in lump sum judgement amounts.			
	Cite	Title	
<b>ALASKA</b>	AS § 09.17.040	Award of damages; periodic payments	
<b>ARIZONA</b>	A.R.S. § 12-584	Special findings; future damages	
<b>CALIFORNIA</b>	26 Cal.Rptr.3d 501	Francies v. Kapla	
<b>CONNECTICUT</b>	C.G.S.A. § 52-225d	Payment of damages in lump sum	Descriptive Statute
<b>FLORIDA</b>	West's F.S.A. § 766.118	Determination of noneconomic damages	
	West's F.S.A. § 768.77	Itemized verdict	
<b>ILLINOIS</b>	735 ILCS 5/2-1706.5	Standards for economic and non-economic damages	
	735 ILCS 5/2-1109	Itemized verdicts	
	735 ILCS 5/2-1706	Special findings required	
<b>MARYLAND</b>	MD Code, Courts and Judicial Proceedings, § 11-109	Damages for personal injury or wrongful death; itemized awards; payment	
<b>MASSACHUSETTS</b>	M.G.L.A. 231 § 60H	Limitation of damages for pain and suffering	
	M.G.L.A. 231 § 60F	Award of damages; elements and itemization of amounts	
<b>MISSOURI</b>	V.A.M.S. 538.215	Damage itemization by trier of fact	
	119 S.W.3d 118	Davolt v. Highland	Periodic Payments and Lump sum payments

## Lump Sum

	55 S.W.3d 466	Burns v. Elk River Ambulance, Inc	Good discussion of splitting out economic/non economic damages in a lump sum award.	
	HEALTH 198Hk834(1) In general	Good Keycite on the subject		
	833 S.W.2d 859	Vincent by Vincent v. Johnson	Best discusion of Lump sum and economic /non-economic damages	
<b>NEBRASKA</b>				
	663 N.W.2d 43	Gourley ex rel. Gourley v. Nebraska Methodist Health System, Inc		
<b>NEW JERSEY</b>				
	603 A.2d 521	Stevenson v. Keene Corp		
<b>NEW YORK</b>				
	McKinney's CPLR § 5031	Basis for determining judgment to be entered		
<b>NORTH DAKOTA</b>				
	NDCC, 32-03.2-05	Separate finding on damages		
<b>VIRGIN ISLANDS</b>				
	VI ST T. 27 § 166ib	Itemized verdict and court decision; installment payment of future damages		
<b>WASHINGTON</b>				
	WA ADC 284-24D-300	If the court itemizes damages, what information must be reported?		
	WA ADC 284-24D-350	How are economic damages allocated under RCW 48.140.030		
<b>WISCONSIN</b>				
	700 N.W.2d 201	Lagerstrom v. Myrtle Werth Hos.-Mayo Health System		Talks about lump sum and noneconomic damages near the end of the opinion
<b>WYOMING</b>				
	958 P.2d 1040	Farmers Ins. Exchange v. Shirley		

**Related Files and Notes**

State	Statute	Title of Statute	Summary		Holdings
AK					
	AS § 09.17.010	Noneconomic damages	noneconomic losses shall be limited to compensation for pain, suffering, inconvenience, physical impairment, disfigurement, loss of enjoyment of life, loss of consortium, and other nonpecuniary damage.		
	AS § 09.17.040	Award of damages; periodic payments	Split out of damage awards		
	AS § 09.55.548	Awards, collateral source	future damages be paid in whole or in part by periodic payments rather than by a lump-sum payment		
	AS § 09.55.546	Advance payments	no advance payment is admissible as evidence		
	AS § 09.55.549	Limitation on damages from health care provider's services	Non economic and Economic damages in medical Mal practice claims		
AL					
	Ala.Code 1975 § 6-5-543	Damages against health care provider to be itemized	expalnation of Damages in a med mal case		Held unconstitutional by Lloyd Noland Hosp. v. Durham, 906 So.2d 157, 159+ (Ala. Jan 07, 2005)
	Ala.Code 1975 § 6-5-544	Recovery of noneconomic losses	\$400,000 cap on noneconomic losses		Recognized as Unconstitutional by Mobile Infirmary Medical Center v. Hodgen, 884 So.2d 801, 803+ (Ala. Oct 31, 2003)
	Ala.Code 1975 § 6-5-547	One million dollar limit on judgments			Recognized as Unconstitutional by Mobile Infirmary Ass'n v. Tyler, --- So.2d ---, 2007 WL 2687321
	Ala.Code 1975 § 6-11-21	Punitive damages not to exceed certain limits	Punitive Damages in civil actions		
AR					
	A.C.A. § 16-114-205	Claim for general damages			
	A.C.A. § 16-114-208	Damages	periodic payments as determined by the court, rather than by lump sum payment		Recognized as Unconstitutional by McMullin v. U.S., 515 F.Supp.2d 904, 905+ (E.D.Ark. Sep 12, 2007)
AS					
AZ					

**Related Files and Notes**

	A.R.S. § 12-581	Definitions	Definitions of Noneconomic and economic damages		Held Unconstitutional by Smith v. Myers, 887 P.2d 541, 542+, 181 Ariz. 11, 11+, 63 USLW 2422, 2422+ (Ariz. Dec 29, 1994
	A.R.S. § 12-582	Election of periodic payments	pay future damages for economic losses in periodic installments		Held Unconstitutional by Smith v. Myers, 887 P.2d 541, 542+, 181 Ariz. 11, 11+, 63 USLW 2422, 2422+ (Ariz. Dec 29, 1994
	A.R.S. § 12-584	Special findings; future damages	Past damages in a lump sum		Held Unconstitutional by Smith v. Myers, 887 P.2d 541, 542+, 181 Ariz. 11, 11+, 63 USLW 2422, 2422+ (Ariz. Dec 29, 1994
	A.R.S. § 12-585	Evidence of future damages	Calculation of Future Damages		Held Unconstitutional by Smith v. Myers, 887 P.2d 541, 542+, 181 Ariz. 11, 11+, 63 USLW 2422, 2422+ (Ariz. Dec 29, 1994
	A.R.S. § 12-586	Entering a judgment for future damages	Procedure for Calculating Future loss damages		Held Unconstitutional by Smith v. Myers, 887 P.2d 541, 542+, 181 Ariz. 11, 11+, 63 USLW 2422, 2422+ (Ariz. Dec 29, 1994
	A.R.S. § 12-589	Discounting future damages to present value	More calculating		Held Unconstitutional by Smith v. Myers, 887 P.2d 541, 542+, 181 Ariz. 11, 11+, 63 USLW 2422, 2422+ (Ariz. Dec 29, 1994
	A.R.S. Const. Art. 2 § 31	Damages for death or personal injuries	Limit on Damages is Unconstitutional		
CA					
	West's Ann.Cal.Civ.Code § 1431.2	Several liability for non-economic damages	Definitions of economic and noneconomic damages		
	West's Ann.Cal.Civ.Code § 3333.2	Negligence of health care provider; noneconomic losses; limitation	Limitation on non economic losses \$250,000		
	West's Ann.Cal.C.C.P. § 667.7	periodic payments of future damages	future damages of the judgment creditor be paid in whole or in part by periodic payments		
	26 Cal.Rptr.3d 501	Francies v. Kapla	Good Case on split out of noneconomic damages under a limitation cap		
CO					
	C.R.S.A. § 13-21-102.5	Limitations on damages for noneconomic loss or injury	defintions and Limitations		

**Related Files and Notes**

	C.R.S.A. § 13-21-203	Limitation on damages			
	C.R.S.A. § 13-64-202	Definitions	Economic Loss defined		
	C.R.S.A. § 13-64-203	Periodic payments			
CT					
	C.G.S.A. § 52-225d	Payment of damages in lump sum			
	C.G.S.A. § 52-225d	Negligence actions. Doctrines applicable			
	C.G.S.A. § 52-228c	determined to be excessive	jury was influenced by partiality		
	C.G.S.A. § 52-572h	Definition of Economic damages			
	C.G.S.A. § 38a-676a	Working Group Review of Health Care Insurance rates and coverage			
	C.G.S.A. § 52-225a	Reduction in economic damages			
DC					
DE					
	18 Del.C. § 6864	Periodic payments; reduction of awards in event of certain contingencies			
	18 Del.C. § 6855	Punitive damages			
	18 Del.C. § 6865	Limitation on attorney's fees			
FL					
	West's F.S.A. § 766.118	Determination of noneconomic damages			
	West's F.S.A. § 766.202	Definitions			
	West's F.S.A. § 766.201	Legislative findings and intent on Limitations on the noneconomic damages			
	West's F.S.A. § 766.207	Limitation on Economic damages \$250,000 per incident			
	West's F.S.A. § 766.208	Arbitration to allocate responsibility among multiple defendants			
	West's F.S.A. § 766.209	Effects of failure to offer or accept voluntary binding arbitration			
	West's F.S.A. § 768.74	excessive or inadequate damages			



**Related Files and Notes**

	West's F.S.A. § 768.77	Itemized verdict			
GA	Ga. Code Ann., § 51-13-1	Noneconomic damages, limitations on amount recoverable; future damages, periodic payments			
	Ga. Code Ann., § 9-3-71	General limitations			
GU					
	GU ST T. 10, § 10131	MEDICAL MALPRACTICE-- MANDATORY ARBITRATION Damages		no limitation	
HI					
	HRS § 663-8.5	Noneconomic damages; defined			
	HRS § 663-8.7	Limitation on pain and suffering		\$375,000	
IA					
	I.C.A. § 147.136	Scope of recovery			
ID					
	I.C. § 6-1603	Limitation on noneconomic damages			
	I.C. § 6-1601	Definitions			
	I.C. § 6-1604	Limitation on punitive damages			
IL					
	735 ILCS 5/2-1115.1	Limitations on recovery of non-economic damages			Held Unconstitutional by Murphy v. Mancari's Chrysler Plymouth, Inc.
	735 ILCS 5/2-1115.2	Economic and non-economic loss			Recognized as Unconstitutional Rajcan v. Donald Garvey and Associates, Ltd.
	735 ILCS 5/2-1703	Past/Future Damages			
	735 ILCS 5/2-1706	Special findings required			
	735 ILCS 5/2-1109	Itemized verdicts			Held Unconstitutional as Not Severable, Best v. Taylor Mach. Works, 689 N.E.2d 1057
	215 ILCS 5/155.19	Report of medical liability claims or suit; records; rules and regulations			Held Unconstitutional as Not Severable by Lebron v. Gottlieb Memorial Hosp., 2007 WL 3390918, *3390918 (Ill.Cir. Nov 13, 2007)
	735 ILCS 5/2-1205	Reduction in amount of recovery			

**Related Files and Notes**

	735 ILCS 5/2-1706.5	Standards for economic and non-economic damages			Held Unconstitutional as Not Severable by Lebron v. Gottlieb Memorial Hosp., 2007 WL 3390918, *3390918 (Ill.Cir. Nov 13, 2007)
	735 ILCS 5/2-1712	Equivalent lump sum value			
IN					
	IC 34-18-14-3	Recovery limitations	No mention of Economic/Noneconomic in the Statutes		
	IC 34-51-3-4	Maximum award of damages			
KS					
	KS ST § 60-19a02	Personal injury action defined; limitation established; itemization of verdict	No definition just a limitation		
	KS ST § 74-7301	Definitions.	Criminal statute Defining Economic and Noneconomic Losses		
	KS ST § 60-3406	Definitions.	Connected to Medical Malpractice		
	757 P.2d 251	Kansas Malpractice Victims Coalition v. Bell	Definition of Economic losses		
	789 P.2d 541	Samsel v. Wheeler Transport Services, Inc.	Calculation of Noneconomic damages defined		
	933 P.2d 651	Shirley v. Smith	Refinement of the Definition OF Noneconomic and economic damages		
KY					
	KRS § 304.39-020	Definitions for subtitle	Definitions connected to Motor Vehicle Reparations act		
LA					
	LSA-R.S. 22:680	Uninsured motorist coverage	Has a definition of noneconomic loss		
MA					
	M.G.L.A. 231 § 60H	Limitation of damages for pain and suffering	Limitation on pain and suffering damages		
	M.G.L.A. 231 § 60F	Award of damages; elements and itemization of amounts	Economic damages discussed		
	494 N.E.2d 390	MacCuish v. Volkswagenwerk A.G	Near the end of the case economic/non-economic damages are discussed		

**Related Files and Notes**

MD					
	MD Code, Courts and Judicial MD Code, Courts and Judicial Proceedings, § 3-2A-01	Definitions	Definition of Noneconomic damages		
	MD Code, Courts and Judicial Proceedings, § 3-2A-09	Noneconomic damages; past medical expenses; future medical expenses; future loss of earnings	Limitation on Noneconomic damages		
	MD Code, Courts and Judicial Proceedings, § 11-108	Noneconomic damages; personal injury or wrongful death			
	MD Code, Courts and Judicial Proceedings, § 11-109	Damages for personal injury or wrongful death; itemized awards; payment	Itemized damage amounts		
	620 A.2d 905	U.S. v. Streidel	Limitation on noneconomic damages cited for wrongful death		
ME					
	17-A M.R.S.A. § 1322	Definitions	Criminal Statute		
	505 A.2d 810	Macomber v. Dillman	Economic damages of not raising a child		mitigate primarily economic damages by weighing them against primarily noneconomic factors
MH					
	No Definition Found				
MI					
	M.C.L.A. 600.1483	Medical malpractice action; noneconomic loss damages	definition of noneconomic damages in med malpractice cases		
	M.C.L.A. 600.2945	Definitions	defintion of economic and noneconomic loss		
	668 N.W.2d 402	Wiley v. Henry Ford Cottage Hosp	Calls M.C.L.A. 600.1483 into doubt		
MN					
	M.S.A. § 65B.51	Deduction of collateral benefits from tort recovery; limitation on right to recover damages			
	No Definition Found				
MO					

**Related Files and Notes**

	V.A.M.S. 538.210	Limitation on noneconomic damages			
	V.A.M.S. 538.205	Definitions	defintions of noneconomic and economic		
	V.A.M.S. 538.215	Damage itemization by trier of fact			
	V.A.M.S. 538.220	Damages, how paid--security required for future damage payments,			
	119 S.W.3d 118	Davolt v. Highland	Periodic Payments and Lump sum payments		
	55 S.W.3d 466	Burns v. Elk River Ambulance, Inc	Good discussion of splitting out economic/non economic damages in a lump sum award.		
	HEALTH 198Hk834(1) In general	Good Keycite on the subject			
	833 S.W.2d 859	Vincent by Vincent v. Johnson	Best discusion of Lump sum and economic /non-economic damages		
MS					
	Miss. Code Ann. § 11-1-60	Medical malpractice; limitation on noneconomic damages	noneconomic damages defined, quite lengthy		
	Miss. Code Ann. § 85-5-7	Joint tort-feasors; nature of liability	economic damages and noneconomic damages treated differently as to joint liability		
MT					
	MT ST 2-9-101	Definitions	defintion found in the notes was repealed		
	MT ST 25-9-411	Medical malpractice noneconomic damages limitation			
NC					
	No definition Found				
ND					
	NDCC, 32-03.2-04	Economic and noneconomic damages for wrongful death or injury to person	Defintions		
	NDCC, 32-42-02	Noneconomic damages limited-- Reduction of award	\$500,000		
	NDCC, 32-03.2-05	Separate finding on damages	Must Itemize and seperate		
	NDCC, 32-03.2-07	Pleading of damages	Pleading Nooneconmic damages		

**Related Files and Notes**

	NDCC, 32-42-01	Definitions	noneconomic damages defined		
	716 N.W.2d 110	Ballensky v. Flattum-Riemers	economic damages is not a prerequisite to award of noneconomic damages		
	427 N.W.2d 85	Hopkins v. McBane	Pecunary Loss defined		
NE					
	NE ST § 25-21,185.08	Civil actions to which contributory negligence is a defense; terms, defined.	noneconomic damages defined		
	NE ST § 25-21,185.10	joint and several liability; when; allocation of liability	Joint and several distiction		
	663 N.W.2d 43	Gourley ex rel. Gourley v. Nebraska Methodist Health System, Inc	Really through explanation of the debate		
NH					
	N.H. Rev. Stat. § 508:4-d	Damages Recoverable for Non-Economic Loss	Limitation on non economic damages		Held Unconstitutional by Brannigan v. Usitalo, 587 A.2d 1232
	587 A.2d 1232	Brannigan v. Usitalo			
NJ					
	N.J.S.A. 17:30D-27	Definitions; payment terms on judgments	Definiton of Non economic		
	NJ ADC 11:27-10.2	Definitions;	Regulatory Definition of Non economic damages		
	N.J.S.A. 2A:15-5.3	Recovery of damages based on party's responsibility			
	603 A.2d 521	Stevenson v. Keene Corp	Explanation of how noneconomic and economic damages are split		
	N.J.S.A. 2C:35B-5	Plaintiff; recovery	Definition of Economic damages related to the use of illegal drugs		
NM					
	No Definition Found				
NV					
	N.R.S. 41A.007	Economic damages" defined			
	N.R.S. 41A.011	Noneconomic damages			
	N.R.S. 41A.035	Limitation on amount of award for noneconomic damages			
	N.R.S. 41A.045	Several liability of defendants for damages			

**Related Files and Notes**

	715 P.2d 1070	Breen v. Caesars Palace	Good explanation of noneconomic damages near the end of the case		
NY					
	McKinney's CPLR § 1600	Definitions			
	McKinney's CPLR § 1601	Limited liability of persons jointly liable			
	McKinney's Insurance Law § 5102	Definitions			
	McKinney's CPLR Ch. EIGHT, Art. 50-A, Refs & Annos	Further Background	Good discussion of the award of economic damages and expected life		
	McKinney's CPLR § 5031	Basis for determining judgment to be entered	How to award economic and noneconomic awards		
	127 A.D.2d 418	Braun v. Ahmed	no Distinction between economic and non economic loss		
OH					
	R.C. § 2323.43	Compensatory damages for economic and noneconomic loss			
	R.C. § 2323.55	lump sum or periodic payment	definition of economic loss		
	R.C. § 2323.56	Definitions; claims for future damages; factors to be considered;			
	R.C. § 2743.02	state immunity for performance of public duty;	Mentions Report from Health and Human Services Department		
	R.C. § 2711.21	Medical claims to be submitted to arbitration; procedures	Mentions Report from Health and Human Services Department		
	R.C. § 3929.302	Reports on medical, dental, optometric, or chiropractic claims			
	880 N.E.2d 420	Arbino v. Johnson & Johnson	Caps constitutional		
OK					
	63 Okl.St. Ann. § 1-1708.1F-1	Noneconomic damages--Hard cap limit			
	63 Okl.St. Ann. § 1-1708.1C	Definitions	non economic defined		
OR					
	O.R.S. § 31.710	Awards for noneconomic damages			Held Unconstitutional by Lakin v. Senco Products,

**Related Files and Notes**

	987 P.2d 463	Lakin v. Senco Products, Inc			
PA					
	Pa.R.C.P. No. 1042.72	Excessive Damage Award for Noneconomic Loss			
	40 P.S. § 1303.515	Remittitur	Standards of Review		
PR					
	No Definition Found				
PW					
	No Definition Found				
RI					
	No Definition Found				
SC					
	Code 1976 § 15-32-220	Noneconomic damages limit			
	Code 1976 § 15-32-210	Defintions			
SD					
	SDCL § 21-3-11	Limitation on damages for medical malpractice	no Good Definition		
	SDCL § 21-3A-1	Definition of terms			
TN					
	T. C. A. § 29-38-106	Causes of action for persons other than users of illegal drugs; damages	Non economic Damages defined in Drug law		
	T. C. A. § 29-26-119	Damages			
	2007 WL 674652	Dunn v. Davis	definition of noneconomic damages		
TX					
	V.T.C.A., Civil Practice & Remedies V.T.C.A., Civil Practice & Remedies Code § 41.001	Definitions	Civil Action Defintion		
	V.T.C.A., Civil Practice & Remedies V.T.C.A., Civil Practice & Remedies Code § 74.301	Limitation on Noneconomic Damages		\$250,000	

**Related Files and Notes**

	V.T.C.A., Civil Practice & Remedies V.T.C.A., Civil Practice & Remedies Code § 74.302	Alternative Limitation on Noneconomic Damages			
	232 S.W.3d 181	Smith v. Dean	Evidence Standard for noneconomic damages		
UT					
	U.C.A. 1953 § 78B-3-410	Limitation of award of noneconomic damages in malpractice actions	\$250,000		
	U.C.A. 1953 § 58-37e-4	Recovery of damages	noneconomic damages defined for damages caused by drug abuse		
	103 P.3d 135	Judd v. Drezga	Caps are constitutional		
VA					
	No Definition Found				
VI					
	VI ST T. 27 § 166	Definitions	Economic and no economic defined		
	VI ST T. 27 § 166b	Limitation on recovery; punitive damages; wrongful death			
	VI ST T. 27 § 166ib	Itemized verdict and court decision; installment payment of future damages			
	1999 WL 603811	Tobal v. Cebedo	Wrongful death suit can award each plaintiff(beneficiary) statutory limit, limit is each individual, it is not a collective limit		
VT					
	No Definition Found				
WA					
	West's RCWA 4.56.250	Claims for noneconomic damages-- Limitation	defintions		Held Unconstitutional by Sofie v. Fibreboard Corp., 771 P.2d 711
	771 P.2d 711	Sofie v. Fibreboard Corp.	Statute placing limit on noneconomic damages recoverable by personal injury violates state constitutional right to trial by jury		
	WA ADC 284-24D-300	If the court itemizes damages, what information must be reported?	Regulation detailing damage amounts in a med mal claim report		



**Related Files and Notes**

	WA ADC 284-24D-350	How are economic damages allocated under RCW 48.140.030			
WI					
	W.S.A. 893.55	Medical malpractice; limitation of actions; limitation of damages; itemization of damages	noneconomic definition		
	700 N.W.2d 201	Lagerstrom v. Myrtle Werth Hos.- Mayo Health System	Talks about lump sum and noneconomic damages near the end of the opinion		
	701 N.W.2d 440	Ferdon ex rel. Petrucelli v. Wisconsin Patients Compensation Fund	Lots of Headnotes about noneconomic damages		
WV					
	W. Va. Code, § 55-7B-8	Limit on liability for noneconomic loss			
	WV ADC 115-7-3	Definitions	Definitions of Economic and noneconomic damages		
	W. Va. Code, § 29-12C-1	Patient injury compensation plan			
WY					
	958 P.2d 1040	Farmers Ins. Exchange v. Shirley	Talks about itemizing the damages into economic and noneconomic damages		