

Compensation Cap In Injury Cases Has Increased In The State of Colorado

Colorado increases personal injury and medical malpractice award caps, balancing victim compensation and economic stability, effective January 31, 2024.

FORT COLLINS, COLORADO, UNITED STATES, July 11, 2024 /EINPresswire.com/ -- A bill passed by the Colorado legislature will increase award caps in [personal injury](#) and medical malpractice cases. The compensation cap on noneconomic and wrongful death damages in personal injury and medical malpractice cases have been raised to as high as \$2.1 million dollars. This cap helps victims in Colorado who have been injured, their families, and [trial lawyers](#) by providing fairer compensation. The new caps will take effect for claims filed after January 31, 2024, with phased increases and future inflation adjustments.



The Impact of the Bill

The legislative compromise that was made means that this bill will increase award caps in personal injury and medical malpractice cases to avoid a ballot initiative that was aimed to remove these caps altogether. Business and insurance groups argued that removing caps entirely would significantly harm Colorado's economy, leading to higher costs for goods, services, and insurance, and potentially resulting in job losses. This bill allows for future inflation adjustments and expands eligibility for claims to include siblings and their heirs. This provides fairer [compensation to victims](#) while avoiding economic disruption from unlimited awards.

Key Points of the Benefits:

- New Caps on Damages:
- Noneconomic damages in general injury cases: \$1.5 million.
- Wrongful death damages in general injury cases: \$2.125 million.
- Noneconomic damages in medical malpractice cases: \$875,000 (phased in over five years).
- Wrongful death damages in medical malpractice cases: \$1.575 million (phased in over five

years).

- Inflation Adjustments: Caps will be adjusted for inflation starting in 2028 for general injury cases and 2030 for medical malpractice cases.
- Higher Compensation: The increased caps provide greater financial relief for injury victims and their families.
- Broader Claim Eligibility: The bill allows siblings and siblings' heirs to file claims in medical malpractice cases, expanding beyond the previous limitation to spouses and parents.
- Judicial Discretion: This will enable judges to potentially double noneconomic damage awards in catastrophic injury cases.
- Economic Stability: This bill prevents potential economic disruption from unlimited damage awards, benefiting businesses and consumers.

Colorado Governor Jared Polis is expected to sign the bill into law.

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