

**Rule 1042.71. Medical Professional Liability Actions. Damages.
Findings**

At the request of any party to a medical professional liability action, the trier of fact shall make a determination, with separate findings for each plaintiff, specifying the amount of all of the following:

(1) except as provided under Section 508 of the MCARE Act, past damages for:

- (i) medical and other related expenses in a lump sum;
- (ii) loss of earnings in a lump sum; and
- (iii) noneconomic loss in a lump sum.

NOTE: Section 508 of Act No. 13 of 2002, the MCARE Act, 40 P.S. §1303.508, governs collateral sources.

(2) future damages for:

- (i) medical and other related expenses by year;
- (ii) loss of earnings or earning capacity in a lump sum; and
- (iii) noneconomic loss in a lump sum.

NOTE: Section 509(a) of the MCARE Act, 40 P.S. §1303.509(a), provides for the separate findings set forth in this rule.

This rule applies to all medical professional liability actions, whether tried before a jury or a court without a jury.

The term “plaintiff” as used in Rule 1042.71 is synonymous with the term “claimant” as used in Section 509(a) of the MCARE Act, 13 P.S. § 1303.509(a), and as defined in Section 103 of the Act, 40 P.S. § 1303.103.