

CV331 Past medical expenses.

In medical malpractice cases, expenses incurred for medical care [or medical devices] by the Plaintiff prior to trial are decided by the judge. Therefore, you will not hear evidence regarding the amount of Plaintiff's past medical-related expenses. The fact that you will not be presented with past medical-related expense amounts must not influence your decisions on other issues in the case. [You may be asked to determine what award, if any, should be made for future medical expenses [or medical equipment] for the Plaintiff.]

References

Utah Code § 78B-3-405.5 (eff. May 7, 2025).

Committee Note

As of the date of publication (November 2025), the underlying statute has been held unconstitutional by at least one district court. This statute deals only with past medical expenses, so evidence of future medical expenses may still be presented to the jury.