

2026 -- H 7749

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LC005141  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

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A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY --  
EVIDENCE

Introduced By: Representatives Craven, and Shanley

Date Introduced: February 12, 2026

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 9-19-34.1 of the General Laws in Chapter 9-19 entitled "Evidence"  
2 is hereby repealed.

3           ~~9-19-34.1. Collateral source rule in medical malpractice actions.~~

4           ~~In the event the defendant so elects, in a legal action based upon a cause of action arising~~  
5 ~~after January 1, 1987, for personal injury against a licensed physician, hospital, clinic, health~~  
6 ~~maintenance organization, professional service corporation providing health care services under~~  
7 ~~chapter 5.1 of title 7, dentist, or dental hygienist based upon professional negligence, the defendant~~  
8 ~~may introduce evidence of any amount payable as a benefit to the plaintiff as a result of the personal~~  
9 ~~injury pursuant to any state income disability or workers' compensation act, any health, sickness~~  
10 ~~or income disability insurance, accident insurance that provides health benefits or income disability~~  
11 ~~coverage, and any contract or agreement of any group, organization, partnership, or corporation to~~  
12 ~~provide, pay for, or reimburse the cost of medical, hospital, dental, or other health care services.~~  
13 ~~Where the defendant elects to introduce such evidence, the plaintiff may introduce evidence of any~~  
14 ~~amount which the plaintiff has paid or contributed to secure his or her right to any insurance benefits~~  
15 ~~concerning which the defendant has introduced evidence. When such evidence is introduced, the~~  
16 ~~jury shall be instructed to reduce the award for damages by a sum equal to the difference between~~  
17 ~~the total benefits received and the total amount paid to secure the benefits by the plaintiff or the~~  
18 ~~court may ascertain the sum by special interrogatory and reduce the award for damages after~~

1 ~~verdict. Whenever an award is so reduced, the lien of any first party payor who has paid such a~~  
2 ~~benefit against the judgment shall be foreclosed and the plaintiff shall have no legal obligation to~~  
3 ~~reimburse the payor.~~

4 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY --  
EVIDENCE

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- 1 This act would repeal the collateral source rule in medical malpractice actions.
- 2 This act would take effect upon passage.

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