

2023 Kansas Statutes

60-249a. Itemized verdict, personal injury actions; jury instructions. (a) Itemizing damages awarded. If the trier of fact finds for the plaintiff in an action for damages for personal injury, the trier of fact must itemize the amounts awarded for the following items of damage, subject to the provisions of subsection (c):

(1) Noneconomic injuries and losses, as follows:

(A) Pain and suffering,

(B) disability,

(C) disfigurement, and any accompanying mental anguish;

(2) reasonable expenses of necessary medical care, hospitalization and treatment received; and

(3) economic injuries and losses other than those itemized under subsection (b)(2)*.

(b) Future damages. When applicable, the trier of fact must further itemize the amounts required to be itemized under subsection (a) to reflect those amounts awarded for damages sustained to date and those awarded for damages reasonably expected to be sustained in the future.

(c) Damages considered by jury. In an action for damages for personal injury, the instructions to the jury and the itemized verdict form must refer only to those items of damage on which evidence has been introduced at trial.

History: L. 1987, ch. 224, § 1; L. 1993, ch. 109, § 1; L. 2010, ch. 135, § 120; July 1.

* The reference to subsection (b)(2) should be to subsection (a)(2) instead.