

EMERGING TRENDS IN AUTO CLAIMS

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1

Learning Objective

**Litigation Strategies
currently used to recover
medical expenses in
aftermath of
*Haygood v. De Escabedo***

2

History of Changes

Legislature



Courts



3

Tex. Civ. Prac. & Rem. Code Section 41.0105



4

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- Enacted as part of the “tort reform” House Bill 4
 - Also known as the “paid/incurred” provision

5

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- To clarify what medical expenses a jury may consider when making an award to a plaintiff



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