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SENATE BILL NO. 536

Senate Amendments in [] - February 10, 2026

A *BILL to amend and reenact § 8.01-581.15 of the Code of Virginia, relating to medical malpractice actions; limitation on recovery; prejudgment interest.*

Patron Prior to Engrossment—Senator Obenshain

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:**1. That § 8.01-581.15 of the Code of Virginia is amended and reenacted as follows:****§ 8.01-581.15. Limitation on recovery in certain medical malpractice actions.**

In any verdict returned against a health care provider in an action for malpractice where the act or acts of malpractice occurred on or after August 1, 1999, which is tried by a jury or in any judgment entered against a health care provider in such an action which is tried without a jury, the total amount recoverable for any injury to, or death of, a patient shall not exceed the following; corresponding amount:

August 1, 1999, through June 30, 2000	\$1.50 million
July 1, 2000, through June 30, 2001	\$1.55 million
July 1, 2001, through June 30, 2002	\$1.60 million
July 1, 2002, through June 30, 2003	\$1.65 million
July 1, 2003, through June 30, 2004	\$1.70 million
July 1, 2004, through June 30, 2005	\$1.75 million
July 1, 2005, through June 30, 2006	\$1.80 million
July 1, 2006, through June 30, 2007	\$1.85 million
July 1, 2007, through June 30, 2008	\$1.925 million
July 1, 2008, through June 30, 2012	\$2.00 million
July 1, 2012, through June 30, 2013	\$2.05 million
July 1, 2013, through June 30, 2014	\$2.10 million
July 1, 2014, through June 30, 2015	\$2.15 million
July 1, 2015, through June 30, 2016	\$2.20 million
July 1, 2016, through June 30, 2017	\$2.25 million
July 1, 2017, through June 30, 2018	\$2.30 million
July 1, 2018, through June 30, 2019	\$2.35 million
July 1, 2019, through June 30, 2020	\$2.40 million
July 1, 2020, through June 30, 2021	\$2.45 million
July 1, 2021, through June 30, 2022	\$2.50 million
July 1, 2022, through June 30, 2023	\$2.55 million
July 1, 2023, through June 30, 2024	\$2.60 million
July 1, 2024, through June 30, 2025	\$2.65 million
July 1, 2025, through June 30, 2026	\$2.70 million
July 1, 2026, through June 30, 2027	\$2.75 million
July 1, 2027, through June 30, 2028	\$2.80 million
July 1, 2028, through June 30, 2029	\$2.85 million
July 1, 2029, through June 30, 2030	\$2.90 million
July 1, 2030, through June 30, 2031	\$2.95 million

In any verdict returned against a health care provider in an action for malpractice where the act or acts of malpractice occurred on or after July 1, 2031, which is tried by a jury or in any judgment entered against a health care provider in such an action which is tried without a jury, the total amount recoverable for any injury to, or death of, a patient shall not exceed \$3 million. Each annual increase shall apply to the act or acts of malpractice occurring on or after the effective date of the increase.

Where the act or acts of malpractice occurred prior to August 1, 1999, the total amount recoverable for any injury to, or death of, a patient shall not exceed the limitation on recovery set forth in this statute as it was in effect when the act or acts of malpractice occurred.

In interpreting this section, the definitions found in § 8.01-581.1 shall be applicable. *The total amounts recoverable set forth in this section shall not include any amount of interest accrued prior to the verdict of a jury or the entry of a judgment by the court. [No award of prejudgment interest in excess of the total amounts recoverable pursuant to this section shall be made against the Commonwealth or against any hospital, medical center, or health system owned or operated by the Commonwealth or by a public institution of higher education.]*

ENGROSSED

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