

# **Bond Case Briefs**

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## **DAMAGE CAPS - ALABAMA**

### **Wright v. Cleburne County Hospital Board, Inc.**

**Supreme Court of Alabama - December 29, 2017 - So.3d - 2017 WL 6629201**

Nursing-home resident brought personal-injury action against nursing home. After resident's death one day following the filing of the complaint, personal representative of resident's estate was substituted as a party and the complaint was amended to assert personal-injury and wrongful-death claims against local hospital board that ran the nursing home and against nurses in their individual capacities.

The Circuit Court ruled that the \$100,000 cap on damages under statute on damages recoverable against governmental entities applied to the claims against the nurses. Personal representative sought permission for an interlocutory appeal.

The Supreme Court of Alabama held that statute providing for a cap on damages recoverable against governmental entities is not applicable to individual-capacity claims.