

Calculation -- Non-economic Damages Caps

Unofficial, provided as a courtesy

	2004**	2005	2006	2007	2008	2009	2010
	Effective 7-01-04	Effective 7-01-05	Effective 7-01-06	Effective 7-01-07	Effective 7-01-08	Effective 7-01-09	Effective 7-01-10
Average Weekly Wage	\$ 534.00	\$ 543.00	\$ 565.00	\$ 584.00	\$ 618.00	\$ 636.00	\$ 643.00
Percentage Increase (annual after 2003)	1.33%	1.69%	4.05%	3.36%	5.82%	2.91%	1.10%
Non-economic Benefit Cap	\$ 253,320.68	\$ 257,590.13	\$ 268,026.57	\$ 277,039.85	\$ 293,168.88	\$ 301,707.78	\$ 305,028.46

	2011	2012	2013	2014	2015	2016	2017
	Effective 7-01-11	Effective 7-01-12	Effective 7-01-13	Effective 7-01-14	Effective 7-01-15	Effective 7-01-16	Effective 7-01-17
Average Weekly Wage	\$ 646.00	\$ 661.00	\$ 674.00	\$ 684.00	\$ 689.00	\$ 721.00	\$ 728.00
Percentage Increase (annual after 2003)	0.47%	2.32%	1.97%	1.48%	0.73%	4.64%	0.97%
Non-economic Benefit Cap	\$ 306,451.61	\$ 313,567.36	\$ 319,734.35	\$ 324,478.18	\$ 326,850.09	\$ 342,030.36	\$ 345,351.04

Per Idaho Code Section 6-1603

*As a result of House Bill 92 of the 2003 Legislature, non-economic damages will be capped at \$250,000 on all non-economic damages. The same increase formula will go into effect beginning July 1, 2004.

Our math:
 (Current year average weekly wage - Prior year's average weekly wage) divided by prior year's average weekly wage to establish percentage increase

Example (2017) $(\$728 - \$721) / \$721 = .0097$ or .97%

THEN:
 (Prior year's Benefit Cap * percentage increase) + Prior year's benefit cap to establish current year cap

Example (2017) $(\$342,030.36 * .97\%) + \$342,030.36 = \$345,351.04$

**Increases after July 1, 2003 are based on the State of Idaho's fiscal year. New caps become effective July 1 through June 30 of the following year.

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	1987	1988	1989	1990	1991	1992	1993
Average Weekly Wage	\$ 309.00	\$ 314.00	\$ 323.00	\$ 334.00	\$ 344.00	\$ 360.00	\$ 373.00
Percentage Increase (annual after 2003)	N/A	1.62%	2.87%	3.41%	2.99%	4.65%	3.61%
Non-economic Benefit Cap	\$ 400,000.00	\$ 406,472.49	\$ 418,122.98	\$ 432,362.46	\$ 445,307.44	\$ 466,019.42	\$ 482,847.90

	1994	1995	1996	1997	1998	1999	2000
Average Weekly Wage	\$ 390.00	\$ 401.00	\$ 415.00	\$ 433.00	\$ 443.00	\$ 456.00	\$ 471.00
Percentage Increase (annual after 2003)	4.56%	2.82%	3.49%	4.34%	2.31%	2.93%	3.29%
Non-economic Benefit Cap	\$ 504,854.37	\$ 519,093.85	\$ 537,216.83	\$ 560,517.80	\$ 573,462.78	\$ 590,291.26	\$ 609,708.74

	2001	2002	2003*
			Effective 7-01-03
Average Weekly Wage	\$ 495.00	\$ 526.00	\$ 527.00
Percentage Increase (annual after 2003)	5.10%	6.26%	0.19%
Non-economic Benefit Cap	\$ 640,776.70	\$ 680,906.15	\$ 250,000.00

Per Idaho Code Section 6-1603

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Our math:
 (Current year average weekly wage - Prior year's average weekly wage) divided by prior year's average weekly wage to establish percentage increase

Example (2017) $(\$728 - \$721) / \$721 = .0097$ or .97%

THEN:

(Prior year's Benefit Cap * percentage increase) + Prior year's benefit cap to establish current year cap

Example (2017) $(\$342,030.36 * .97\%) + \$342,030.36 = \$345,234.05$

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