

SECTION -2- 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1986.

Approved May 27, 1986.

CHAPTER 640

(Senate Bill 559)

AN ACT concerning

Medical Malpractice - Health Claims Arbitration

FOR the purpose of altering the jurisdiction of the Health Claims Arbitration Office; imposing minimum experience requirements for attorney members of arbitration panels; providing a certain exception to the experience requirement for attorney members; requiring that the biographical statements of all prospective health claims arbitration panel members be updated--annually within a certain time; requiring the Director of the Health Claims Arbitration Office to include the names of certain physicians on the list of health care providers to serve as arbitrators; requiring every physician licensed in the State, and who is a resident of the State, to be available to serve as an arbitrator of health care malpractice claims; requiring the filing of a certificate of a qualified expert within a certain time; providing for panel chairmen, in conjunction with the Director, to require that certain action be taken in a specific period of time; defining the rules of evidence applicable before the--Health Claims--Arbitration--Office--and--in--the--courts; permitting--and--regulating--mutual--waiver--of--the--arbitration--process; providing that certain hospital records and records of treating health care providers are admissible without calling the provider under certain circumstances; requiring the Director to establish certain procedures for the selection of alternate panel members; requiring the Director to prepare a separate list of single arbitrators; providing for the use of pleadings and discovery proceedings before panels when cases are appealed to courts; requiring the clerk of the court to file a copy of the verdict or other final disposition with the Director; prohibiting a party from presenting testimony from more than 2 experts in a designated specialty except under certain circumstances; requiring the payment of certain costs by a party maintaining or defending any action in bad faith or without substantial justification upon a certain panel determination; making certain stylistic changes; and generally relating to claims against health care providers.

BY repealing and reenacting, with amendments,