

**RCW 7.70.030 Propositions required to be established—Burden of proof.** No award shall be made in any action or arbitration for damages for injury occurring as the result of health care which is provided after June 25, 1976, unless the plaintiff establishes one or more of the following propositions:

(1) That injury resulted from the failure of a health care provider to follow the accepted standard of care;

(2) That a health care provider promised the patient or his or her representative that the injury suffered would not occur;

(3) That injury resulted from health care to which the patient or his or her representative did not consent.

Unless otherwise provided in this chapter, the plaintiff shall have the burden of proving each fact essential to an award by a preponderance of the evidence. [2011 c 336 s 250; 1975-'76 2nd ex.s. c 56 s 8.]

**Severability—1975-'76 2nd ex.s. c 56:** See note following RCW 4.16.350.