

SENATE BILL REPORT

EHB 2838

As Reported By Senate Committee On:
Health & Long-Term Care, February 23, 1996

Title: An act relating to mediation of health care injury disputes.

Brief Description: Limiting mediation of health care injury disputes.

Sponsors: Representatives Dyer, Cody, Foreman, McMahan, Goldsmith, Huff, Carlson and Robertson.

Brief History:

Committee Activity: Health & Long-Term Care: 2/23/96 [DP].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass.

Signed by Senators Quigley, Chair; Wojahn, Vice Chair; Deccio, Fairley, Franklin, Thibaudeau, Winsley and Wood.

Staff: Joanne Conrad (786-7472)

Background: Generally, the right to bring a legal action is time-limited. Statutes of limitations prevent the action after a certain time period has passed. Exceptions are made when a condition or event tolls the time limit, usually in the interest of fairness or judicial efficiency.

Summary of Bill: In medical malpractice "health care injury disputes," a written, good faith request for mediation, when made prior to filing the action, tolls the statute of limitations for one year, rather than for an unspecified period.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This technical change is needed to provide time for parties to mediate.

Testimony Against: None.

Testified: Larry Shannon, WA State Trial Lawyers; Cliff Webster, WA State Medical Assn.