

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
108TH LEGISLATURE  
FIRST REGULAR SESSION

HOUSE AMENDMENT "D" to S.P. 205, L.D. 727, Bill, "AN ACT to Implement the Recommendations of the Pomeroy Commission on Medical and Hospital Malpractice Insurance."

Amend the Bill by inserting after the enacting clause the following:

'Sec. 1. 14 MRSA §753 is emended to read:

§753. Two years; 4 years

Actions for assault and battery, and for false imprisonment, slander, and libel ~~and malpractice of physicians and all others engaged in the healing art~~ shall be commenced within 2 years after the cause of action accrues.

Actions for malpractice of physicians and all others engaged in the healing art shall be commenced within 4 years after the cause of action accrues.'

Further amend the Bill by inserting at the beginning of the first line after the enacting clause the underlined abbreviation and figure 'Sec. 2.'

Further amend the Bill by striking out all of that part designated "§2902." and inserting in its place the following:

'§2902. Statute of limitations for nurses, hospitals and employees

An action for damages for injury or death against any nurse licensed under Title 32, chapter 31, any hospital or its employee, whether based upon tort or breach of contract or otherwise, arising out of patient care, shall be commenced

within 4 years after the cause of action accrues.'

Statement of Fact

The purpose of the amendment is to increase the statute of limitations in all medical malpractice cases from 2 years to 4 years.

Filed by Mr. Henderson of Bangor.

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