

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 514

H.P. 379

House of Representatives, February 14, 1995

### An Act to Improve the Operation of Prelitigation Screening Panels.

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Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative PLOWMAN of Hampden.  
Cosponsored by Representatives: CAMPBELL of Holden, HARTNETT of Freeport, Senator:  
SMALL of Sagadahoc.

Be it enacted by the People of the State of Maine as follows:

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Sec. 1. 24 MRSA §2853, sub-§4, as enacted by PL 1985, c. 804, §§12 and 22, is amended to read:

4. **Filing of records; time for hearing; extensions.** Within 20 days of entry of appearance, the person or persons accused shall contact the claimant's counsel and by agreement shall designate a timetable for filing all the relevant medical and provider records necessary to a determination of the panel and for completing discovery. If the parties are unable to agree on a timetable within 60 days of the entry of appearance, the claimant shall notify the ~~chairman~~ chair of the panel. The ~~chairman~~ chair shall then establish a timetable for the filing of all relevant records and reasonable discovery, which shall must be filed at least 30 days before any hearing date. The hearing shall may not be later than ~~120-days~~ 6 months from the service of the notice of claim upon the clerk.

**STATEMENT OF FACT**

Under the current law requiring prelitigation screening and mediation panels for claims of professional negligence, a hearing on such a claim must be held no later than 120 days from the service of the notice of claim. This bill amends the deadline to 6 months from the service of the notice of claim.