

MAINE STATE LEGISLATURE

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DATE: March 11, 1996

(Filing No. S-462)

JUDICIARY

Reported by: Senator MILLS of Somerset for the Committee.

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**STATE OF MAINE
SENATE
117TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A " to S.P. 335, L.D. 916, Bill, "An Act to Improve the Function of the Maine Health Security Act"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'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, except when the time period has been extended by the panel chair in accordance with this subchapter.

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STATEMENT OF FACT

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6 This amendment replaces the original bill. Under the
8 current law requiring prelitigation screening and mediation
10 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 and clarifies that this time
period may be extended by the panel chair.