

MAINE STATE LEGISLATURE

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L.D. 1325

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**STATE OF MAINE
SENATE
119TH LEGISLATURE
FIRST REGULAR SESSION**

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SENATE AMENDMENT " B " to COMMITTEE AMENDMENT "A" to S.P. 450, L.D. 1325, Bill, "An Act to Provide Fairness to Victims of Medical Malpractice"

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Amend the amendment in section 3 in subsection 1 in paragraph C in the 2nd line (page 3, line 27 in amendment) by striking out the following: "~~found raised~~" and inserting in its place the following: 'found'

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Further amend the amendment by striking out all of sections 4 and 5.

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Further amend the amendment in section 6 in subsection 1 in the 2nd line (page 3, line 49 in amendment) by inserting after "section" the following: 'and section 2858'

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Further amend the amendment in section 6 in subsection 1 by inserting after paragraph A the following:

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'B. If the panel findings as to both the questions under section 2855, subsection 1, paragraphs A and B are unanimous and unfavorable to the person accused of professional negligence, the findings are admissible in any subsequent court action for professional negligence against that person by the claimant based on the same set of facts upon which the notice of claim was filed.'

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Further amend the amendment in section 6 in subsection 1 in paragraph B in the first line (page 4, line 19 in amendment) by striking out the following: "B" and inserting in its place the following: 'C'

R.O.S.

SENATE AMENDMENT "B " to COMMITTEE AMENDMENT "A" to S.P. 450,
L.D. 1325

2 Further amend the amendment in section 6 in subsection 1 in
paragraph B by striking out all of the last sentence (page 4,
4 lines 24 and 25 in amendment)

6 Further amend the amendment by striking out all of section 7.

8 Further amend the amendment by relettering or renumbering
any nonconsecutive Part letter or section number to read
10 consecutively.

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SUMMARY

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16 This amendment incorporates the changes made by Senate
Amendment "A" to Committee Amendment "A" to the bill and changes
the circumstances under which unanimous panel findings
18 unfavorable to the person accused of professional negligence are
admissible in a subsequent court action for professional
20 negligence.

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SPONSORED BY:

(Senator LONGLEY)

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COUNTY: Waldo

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SENATE AMENDMENT