

HOUSE No. 1382

The Commonwealth of Massachusetts

PRESENTED BY:

Marjorie C. Decker

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act protecting minor children from medical malpractice.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>

HOUSE No. 1382

By Ms. Decker of Cambridge, a petition (accompanied by bill, House, No. 1382) of Marjorie C. Decker, James K. Hawkins and José F. Tosado relative to the commencement of medical malpractice actions involving certain children. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act protecting minor children from medical malpractice.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 4 of chapter 260 of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by inserting, in line 30, after the word “body” the following
3 words:-

4 ; provided, however, that any such action brought on or behalf of an injured party who at
5 the time of the alleged action was a minor child under the age of eighteen shall be commenced
6 within three years of the discovery of the occurrence of the act or omission which is the alleged
7 cause of the injury upon which the action is based, but no later than seven years after the injured
8 party’s twenty-first birthday, whichever is sooner.