

SENATE BILL 2109

By Overbey

AN ACT to amend Tennessee Code Annotated, Section 29-26-121, relative to health care liability.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code annotated, Section 29-26-121(b), is amended by deleting the subsection in its entirety and by substituting instead the following:

(b) If a complaint is filed in any court alleging a claim for medical malpractice, the pleadings shall state whether each party has complied with subsection (a) and shall provide such evidence of compliance as the court may require to determine if the provisions of this section have been met. The court has discretion to excuse compliance with this section only for extraordinary good cause shown by clear and convincing evidence.

SECTION 2. This act shall take effect July 1, 2009, the public welfare requiring it.