

ENROLLED ACT NO. 56, HOUSE OF REPRESENTATIVES

SIXTIETH LEGISLATURE OF THE STATE OF WYOMING
2010 BUDGET SESSION

AN ACT relating to the administration of government; amending the time for a claimant to file an expert's statement; specifying the admissibility in court of proceedings filed with and decisions by the medical review panel; requiring that litigation results be reported to the panel; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 9-2-1519(b), 9-2-1522(c) and 9-2-1523 by creating new subsections (c) and (d) are amended to read:

9-2-1519. Claim review procedure; contents of claim; service of claim on provider; answer.

(b) The claimant shall submit, within sixty (60) days following ~~the submission of the claim~~ receipt of the health care provider's answer as required by subsection (e) of this section, a statement prepared and signed by an expert in the specialty or subspecialty of medical practice at issue, setting forth the basis for the expert's belief that the conduct is believed to constitute a malpractice claim and the evidence currently available to support the expert's opinion.

9-2-1522. Panel deliberations and decision; decision not binding.

(c) The final decision shall be in writing and forwarded to the director who shall serve copies on the parties. The panel's decision is not binding upon any party. The decision of the panel and any testimony, documents or materials submitted by the parties thereto may and incorporated into the decision of the panel shall be

ORIGINAL HOUSE
BILL NO. 0026

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admissible in whole or in part solely for purposes of impeachment in any subsequent trial of the matter, subject to the discretion of the trial court, and in accordance with the Wyoming Rules of Evidence.

9-2-1523. Confidentiality of panel proceedings; privilege; proceedings and decision inadmissible; assessment of costs.

(c) The claim, answer, decision and any other pleadings served under this act shall not be admissible in any subsequent civil action brought by the claimant against the health care provider for alleged malpractice.

(d) If the claimant files a complaint in court following a panel decision, the plaintiff shall submit to the panel a written statement of the outcome of the litigation within sixty (60) days of the final disposition of the litigation.

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Section 2. This act is effective July 1, 2010.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk