

FISCAL NOTE

HB 483 - SB 1608

April 1, 2005

SUMMARY OF BILL: Requires the plaintiffs in medical malpractice actions to file with the court and serve on all defendants an authorization form that allows the defendants to access the plaintiff's medical records which would be restricted to information pertinent to the claims asserted by the plaintiff. The defense may disclose such information only for the purpose of reaching a final resolution to the plaintiff's malpractice action, which includes disclosure to expert witnesses, litigation support entities, or court reporters.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – Not Significant

Assumptions:

- This bill could result in a shorter amount of time necessary to conduct a medical malpractice lawsuit from filing of complaints to resolution.
- The courts will be called upon to implement and enforce these rules which are estimated to not have a significant impact on expenditures.
- This bill will have no fiscal impact on the Department of Health because the rules for professions that presently regulate the release of medical records include statements permitting release of records when requested in court actions.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director