

HOUSE BILL NO. 196

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE B.DAVIS

Introduced: 2/27/95

Referred: Health, Education and Social Services, Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to civil liability for breast implants; and providing for an
2 effective date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1. CIVIL LIABILITY FOR BREAST IMPLANTS.** (a) Notwithstanding
5 AS 09.10.070, a person may commence a civil action for personal injury or death resulting
6 from a breast implant or breast implant materials if the person

7 (1) is a member of the settlement class of Lindsey v. Dow Corning Corp., No.
8 CV94-P-11558-S (D. Ala. 1994), involving silicone gel breast implant products liability; and

9 (2) commences the civil action within 30 days after the date of completion of
10 any opt-out periods, including completion of nonbinding mediation, or within 30 days after
11 a final decision is entered in Lindsey v. Dow Corning Corp., No. CV94-P-11558-S (D. Ala.
12 1994), whichever is later.

13 (b) This section does not apply to a civil action for personal injury or death resulting
14 from negligence by a health care provider. In this subsection, "health care provider" has the

1 meaning given in AS 09.55.560.

2 * **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).