

Introduced: 4/23/71
Referred: Health, Welfare &
Education and Judiciary

1 IN THE HOUSE

BY HAUGEN

2 HOUSE BILL NO. 445

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act related to pre-trial screening of medical
7 malpractice suits."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. The legislature recognizes that the number of medical
10 malpractice suits has risen markedly in recent times, in many cases resulting
11 in a discontinuance by insurance companies of medical malpractice coverage
12 to physicians, or the high costs of additional coverage being passed directly
13 to the patient in the form of prohibitive medical bills. The legislature
14 further recognizes that a preliminary review of facts surrounding alleged
15 acts of medical malpractice, with recommendations based on that review,
16 would help to stem the rising tide of malpractice suits by revealing the
17 merits or demerits of the claim to the parties before actual litigation.

18 * Sec. 2. AS 08.64 is amended by adding a new section to read:

19 Sec. 08.64.366. MEDICAL MALPRACTICE SCREENING PANEL. (a) There
20 is created the Alaska Medical Malpractice Screening Panel composed of
21 six members, three of whom shall be licensed physicians appointed by
22 the governor from a list of six recommendations submitted by the State
23 Medical Board, and three of whom shall be licensed attorneys, appointed
24 by the governor from a list of six recommendations submitted by the
25 Alaska Bar Association.-

26 (b) The State Medical Board, with the aid of the Alaska Bar
27 Association, shall promulgate regulations providing for the screening
28 and evaluation, by the Medical Malpractice Screening Panel, of mal-
29 practice claims against licensed physicians in the state. Submission

1 of a claim by a party to the Medical Malpractice Screening Panel is
2 voluntary, and the submission of the claim shall be consented to by
3 the other party.

4 (c) A finding that there is or is not a reasonable basis for
5 the claim asserted in the malpractice action is not binding on either
6 party before the panel for purposes of subsequent litigation. All
7 proceedings held under this section are confidential and no record
8 may be made of them.
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