

Introduced: 3/8/77
Referred: Commerce and Judiciary

1 IN THE HOUSE

BY BEIRNE

2 HOUSE BILL NO. 310

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to establishing a statute of limita-
7 tions for medical malpractice actions.

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

9 * Section 1. AS 09.55 is amended by adding a new section to read:

10 Sec. 09.55.544. LIMITATION OF ACTION. (a) Except as provided in
11 (b) of this section, no person may bring a malpractice action based on
12 the negligence or wilful misconduct of a health care provider unless
13 commenced within two years. However, if the plaintiff first has know-
14 ledge of the act complained of on a date within one year of the expira-
15 tion of the period of limitation, the time limited for commencement of
16 the action is extended one year from that date, but in no event may an
17 action be commenced later than three years from the date of the act
18 complained of.

19 (b) If the act complained of occurred before the plaintiff attains
20 the age of six years, a malpractice action based on negligence or the
21 wilful misconduct of a health care provider may be commenced at any time
22 before the plaintiff attains the age of eight years, but no later.

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