

3rd Sub. S.B. 145
MEDICAL MALPRACTICE AMENDMENTS

Representative **Bradley G. Last** proposes the following amendments:

1. *Page 5, Lines 120 through 121:*

120 (B) ~~{-within-}~~ any longer period as agreed upon in writing by all parties to the review.
121 [(ii)] ~~{-(iii)-}~~ (c) If the prelitigation hearing has not been completed within the time limits

2. *Page 5, Lines 125 through 127:*

125 ~~{(A)}~~ (i) file an affidavit of merit under the provisions of Section 78B-3-423; or
126 ~~{(B)}~~ (ii) file an affidavit with the division within 180 days of the request for prelitigation
127 review, in accordance with Subsection (3) ~~{(c)}~~ (d) , alleging that the respondent has failed to

3. *Page 5, Lines 129 through 130:*

129 ~~{(c)}~~ (d) If the claimant files an affidavit under Subsection (3) ~~{(b)(iii)(B)}~~ (c) :
130 (i) within 15 days of the filing of the affidavit under Subsection (3) ~~{(b)(iii)(B)}~~ (c) , the

4. *Page 5, Line 138:*

138 (3) ~~{(c)}~~ (d) (ii)(A), the claimant shall file an affidavit of merit in accordance with Section 78B-3-423,

5. *Page 5, Line 140:*

140 [(e)] ~~{(d)}~~ (e) (i) The claimant and any respondent may agree by written stipulation that no

6. *Page 7, Line 194:*

194 (1)(a) The ~~{+}~~ panel ~~{+}~~ ~~{-division-}~~ shall issue an opinion and the division
shall issue a certificate of compliance

7. *Page 8, Lines 220 through 221:*

220 78B-3-416 and 78B-3-418, a claimant shall file an affidavit of merit under this section ~~{-if}~~ :
221 (i) within 60 days of the date of the panel's opinion, if the claimant receives a finding from the
pre-litigation panel in accordance with

8. *Page 8, Line 225:*

225 (ii) within 30 days of the division's determination under Subsection 78B-3-416(3)(b)(ii), if a

pre-litigation hearing is not held within the time limits under Section

9. Page 8, Line 227:

227 (iii) within 30 days of the divisions determination under Subsection 78B-3-416(3)(d)(ii)(B),
if the division makes a determination under Section 78B-3-416(3) ~~{(c)}~~ (d) (ii)(B) .

10. Page 8, Lines 229 through 234:

229 shall ~~{:~~
230 ~~(i)}~~ file the affidavit of merit with the division ; ~~{-within:~~
231 ~~(A) 60 days of:~~
232 ~~(F) the expiration of the time limit in Section 78B-3-416(3)(b)(i);~~
233 ~~(H) the date of the panel's opinion under Subsection 78B-3-418(2)(b); or~~
234 ~~(B) within 30 days of the division's determination under Subsection 78B-3-416(3)(c);}~~