

Effective 5/7/2025

78B-3-418 Opinion and recommendations of panel.

- (1)
 - (a) The prelitigation review panel shall issue an opinion and the division shall issue a certificate of compliance with the prelitigation requirements of this part in accordance with this section.
 - (b) A certificate of compliance issued in accordance with this section is proof that the claimant has met all conditions precedent under this section to commencing litigation.
- (2)
 - (a) The panel shall render an opinion in writing not later than 30 days after the day on which the panel review concludes, and determine on the basis of the evidence whether:
 - (i) each claim against each health care provider has merit or has no merit; and
 - (ii) if a claim is deemed meritorious under Subsection (2)(a)(i), the conduct complained of resulted in harm to the claimant.
 - (b) There is no judicial or other review or appeal of the panel's opinion under Subsection (2)(a).
- (3) The division shall issue a certificate of compliance to the claimant, for each respondent named in the notice of intent to file a claim under this part, if:
 - (a) for a named respondent, the panel issues an opinion under Subsection (2)(a);
 - (b) the claimant has complied with the provisions of Subsections 78B-3-416(4)(c) and (d); or
 - (c) the parties submitted a stipulation under Subsection 78B-3-416(4)(e).

Amended by Chapter 503, 2025 General Session