

# S.B. 245

## MEDICAL DISPUTE RESOLUTION AMENDMENTS

SENATE FLOOR AMENDMENTS

AMENDMENT 3

FEBRUARY 19, 2004 11:08 AM

Senator **David L. Gladwell** proposes the following amendments:

1. *Page 1, Line 13:*

13 This bill: =

▶ provides a binding arbitration agreement shall provide for one arbitrator unless all parties agree to a panel of three arbitrators;

2. *Page 3, Lines 60 through 68:*

60 (b) the agreement shall require that:

61 (i) except as provided in Subsection (1)(b)(ii), ~~[[a panel of three arbitrators;]]~~ one arbitrator  
shall be jointly

62 selected ~~[[as follows;]]~~ by all persons claiming damages and by the health care provider from a list  
of individuals approved as arbitrators by the state or federal courts of Utah; or

(ii) if all parties agree, a panel of three arbitrators shall be selected as follows:

63 (A) one arbitrator ~~[be]~~ collectively selected by all persons claiming damages;

64 ~~[(ii)]~~ (B) one arbitrator ~~[be]~~ selected by the health care provider; and

65 ~~[(iii)]~~ (C) a third arbitrator ~~[be]~~ jointly selected ~~[[by all persons claiming damages and~~

66 ~~the health care provider from a list of individuals approved as arbitrators by the state or federal~~  
67 ~~courts of Utah; or]]~~ as explained in Subsection (1)(b)(i);

68 ~~[[ (ii) if both parties agree, a single arbitrator may be selected; ]]~~