

1 Senate BILL NO. 190
 2 INTRODUCED BY LYNCH

3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE NON
 5 LIABILITY FOR MEMBERS OF PEER REVIEW COMMITTEES AND
 6 PROFESSIONAL STANDARDS REVIEW COMMITTEES; RELATING TO
 7 CERTAIN MEDICAL PROFESSIONALS; AND PROVIDING AN IMMEDIATE
 8 EFFECTIVE DATE."
 9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Non liability for peer review --
 12 application to nonprofit corporations. (1) No member of a
 13 utilization review committee of a hospital or of a
 14 utilization committee of a statewide or local society
 15 composed of doctors of medicine or doctors of osteopathic
 16 medicine and surgery or of a peer review or professional
 17 standards review committee of a statewide or local society
 18 composed of doctors of medicine, doctors of osteopathic
 19 medicine and surgery, doctors of dentistry, chiropractors,
 20 doctors of optometry, or registered pharmacists shall be
 21 liable in damages to any person for any action taken or
 22 recommendation made within the scope of the functions of the
 23 committee, if the committee member acts without malice and
 24 in the reasonable belief that the action or recommendation
 25 is warranted by the facts known to him, after reasonable

1 effort to obtain the facts of the matter for which the
 2 action is taken or a recommendation is made.

3 (2) This act also applies to any member of a nonprofit
 4 corporation engaged in performing the functions of a peer
 5 review or professional standards review committee.

6 Section 2. Effective date. This act is effective on
 7 passage and approval.

-End-

Approved by Committee
on Public Health, Welfare
& Safety

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 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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 16 osteopathic medicine and surgery or of a peer review or
 17 professional standards review committee of a statewide or
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REFERENCE BILL

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-End-