

HOUSE BILL NO. 453

Introduced: 01/22/83

Referred to Committee on Judiciary: 01/22/83

Hearing 1/31/83

Died in Committee

1 House BILL NO. 453
2 INTRODUCED BY Stella Jean Hansen
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AWARD LITIGATION
5 COSTS, INCLUDING REASONABLE ATTORNEY FEES, TO A HEALTH CARE
6 PROVIDER PREVAILING IN A CIVIL MALPRACTICE ACTION FOLLOWING
7 A DETERMINATION BY THE MEDICAL MALPRACTICE PANEL THAT AN
8 INJURY WAS NOT CAUSED BY THE MALPRACTICE OF THE PROVIDER."
9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11 Section 1. Costs of defense to be awarded. In any
12 civil action brought after October 1, 1983, against a health
13 care provider based upon a malpractice claim for which the
14 panel has determined that the patient was not injured by the
15 malpractice of the provider, the court shall award the
16 provider its reasonable attorney fees in addition to costs
17 provided for in 25-10-102.
18 Section 2. Codification instruction. Section 1 is
19 intended to be codified as an integral part of Title 27,
20 chapter 6, part 7, and the provisions of Title 27, chapter
21 6, apply to section 1.

-End-

INTRODUCED BILL

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