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INTRODUCED BY

*Kathel*

*James Bergman*  
*Clark* *Hallgren*  
*Bill of Confield*

House BILL NO. 396

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE MONTANA MEDICAL LEGAL PANEL ACT; ADDING PODIATRISTS TO THE MONTANA MEDICAL LEGAL PANEL ACT; PROVIDING FOR A MINIMUM ANNUAL ASSESSMENT OF \$15 AGAINST HEALTH CARE PROVIDERS AND A 5-YEAR CAPITAL CONTRIBUTION BY PODIATRISTS; AMENDING SECTIONS 27-6-103, 27-6-206, 27-6-302, 27-6-306, 27-6-308, AND 27-6-401, MCA; AND PROVIDING AN APPLICABILITY DATE."

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

**Section 1.** Section 27-6-103, MCA, is amended to read:

**"27-6-103. Definitions.** As used in this chapter, the following definitions apply:

(1) "Dentist" means:

(a) for purposes of the assessment of the annual surcharge, an individual licensed to practice dentistry under the provisions of Title 37, chapter 4, who at the time of the assessment:

- (i) has as the individual's principal residence or place of dental practice the state of Montana;
- (ii) is not employed full-time by any federal governmental agency or entity; and
- (iii) is not fully retired from the practice of dentistry; or

(b) for all other purposes, a person licensed to practice dentistry under the provisions of Title 37, chapter 4, who at the time of the occurrence of the incident giving rise to the claim:

- (i) was an individual who had as the principal residence or place of dental practice the state of Montana and was not employed full-time by any federal governmental agency or entity; or
- (ii) was a professional service corporation, partnership, or other business entity organized under the laws of any state to render dental services and whose shareholders, partners, or owners were individual dentists licensed to practice dentistry under the provisions of Title 37, chapter 4.

(2) (a) "Health care facility" means a facility (other than a governmental infirmary but including a university or college infirmary) licensed as a health care facility under Title 50, chapter 5.

(b) For the purposes of this chapter, a health care facility does not include a chemical dependency facility, an end-stage renal dialysis facility, a home infusion therapy agency, or a residential care facility.

1 (3) "Health care provider" means a physician, a dentist, a podiatrist, or a health care facility.

2 (4) "Hospital" means a hospital as defined in 50-5-101.

3 (5) "Malpractice claim" means a claim or potential claim of a claimant against a health care provider  
4 for medical or dental treatment, lack of medical or dental treatment, or other alleged departure from  
5 accepted standards of health care that proximately results in damage to the claimant, whether the  
6 claimant's claim or potential claim sounds in tort or contract, and includes but is not limited to allegations  
7 of battery or wrongful death.

8 (6) "Panel" means the Montana medical legal panel provided for in 27-6-104.

9 (7) "Physician" means:

10 (a) for purposes of the assessment of the annual surcharge, an individual licensed to practice  
11 medicine under the provisions of Title 37, chapter 3, who at the time of the assessment:

12 (i) has as the individual's principal residence or place of medical practice the state of Montana;

13 (ii) is not employed full-time by any federal governmental agency or entity; and

14 (iii) is not fully retired from the practice of medicine; or

15 (b) for all other purposes, a person licensed to practice medicine under the provisions of Title 37,  
16 chapter 3, who at the time of the occurrence of the incident giving rise to the claim:

17 (i) was an individual who had as the principal residence or place of medical practice the state of  
18 Montana and was not employed full-time by any federal governmental agency or entity; or

19 (ii) was a professional service corporation, partnership, or other business entity organized under  
20 the laws of any state to render medical services and whose shareholders, partners, or owners were  
21 individual physicians licensed to practice medicine under the provisions of Title 37, chapter 3.

22 (8) "Podiatrist" means:

23 (a) for purposes of the assessment of the annual surcharge, an individual licensed to practice  
24 podiatry under the provisions of Title 37, chapter 6, who at the time of the assessment:

25 (i) has as the individual's principal residence or place of podiatric practice the state of Montana;

26 (ii) is not employed full-time by any federal governmental agency or entity; and

27 (iii) is not fully retired from the practice of podiatry; or

28 (b) for all other purposes, a person licensed to practice podiatry under the provisions of Title 37,  
29 chapter 6, who at the time of the occurrence of the incident giving rise to the claim:

30 (i) was an individual who had as the principal residence or place of podiatric practice the state of

1 Montana and was not employed full-time by any federal governmental agency or entity; or  
 2 (ii) was a professional service corporation, partnership, or other business entity organized under  
 3 the laws of any state to render podiatric services and whose shareholders, partners, or owners were  
 4 individual podiatrists licensed to practice podiatry under the provisions of Title 37, chapter 6."  
 5

6 **Section 2.** Section 27-6-206, MCA, is amended to read:

7 **"27-6-206. Funding.** (1) There is a pretrial review fund to be administered by the director  
 8 exclusively for the purposes stated in this chapter. The fund and any income from it must be held in trust,  
 9 deposited in an account, and invested and reinvested by the director with the prior approval of the director  
 10 of the Montana medical association. The fund may not become a part of or revert to the general fund of  
 11 this state but is open to auditing by the legislative auditor.

12 (2) (a) To create the fund, an annual surcharge or assessment must be levied on all health care  
 13 providers. The amount of the assessment must be set annually by the director and must be apportioned  
 14 among physicians, dentists, podiatrists, hospitals, and other health care providers by group. ~~For~~ Except as  
 15 provided in subsection (2)(c), for the group of all physicians, the group of all dentists, the group of all  
 16 podiatrists, the group of all hospitals, and the group of all other health care facilities, the amount of the  
 17 assessment must be proportionate to the respective percentage of total health care providers brought  
 18 before the panel that each group constitutes. The total number and group of health care providers brought  
 19 before the panel must be determined from the annual report of the panel for the years preceding the year  
 20 of assessment.

21 (b) The Except as provided in subsection (2)(c), the amount of the assessment for the group of all;

22 (i) hospitals must be proportionately assessed against each hospital on the basis of each hospital's  
 23 total number of licensed hospital beds, whether used or not, as reflected in the most recent compilation  
 24 of the department of public health and human services.~~The amount of the assessment for the group of all;~~

25 (ii) physicians must be equally assessed against all physicians.~~The amount of the assessment for~~  
 26 ~~the group of all;~~

27 (iii) dentists must be equally assessed against all dentists;

28 (iv) podiatrists must be equally assessed against all podiatrists; and

29 ~~The amount of the assessment for the group of all~~

30 (v) other health care facilities must be equally assessed against all other health care facilities.

1           (c) The annual amount of the assessment levied against each health care provider may not be less  
2 than \$15.

3           (d) Surplus funds, if any, above the amount required for the annual administration of the chapter  
4 must be retained by the director and used to finance the administration of this chapter in succeeding years,  
5 in which event the director shall reduce the annual assessment in subsequent years to not less than \$15  
6 for each health care provider, commensurate with the proper administration of this chapter.

7           (3) The annual surcharge must be paid on ~~or before the date that physicians' and dentists' annual~~  
8 ~~registration or renewal fees are due under 37-3-313 and 37-4-307~~ April 1 of each year. All unpaid  
9 assessments bear a late charge fee equal to the judgment rate of interest. The late charge fee is part of the  
10 annual surcharge. ~~The director has the same powers and duties in connection with the collection of and~~  
11 ~~failure to pay the annual surcharge as the department of commerce has under 37-3-313 and 37-4-307 in~~  
12 ~~connection with physicians' and dentists' annual registration or renewal fees.~~ The panel may collect the  
13 annual surcharge by an action at law."

14

15           **Section 3.** Section 27-6-302, MCA, is amended to read:

16           "**27-6-302. Contents of application -- waiver of confidentiality of medical and dental records.** The  
17 application ~~shall~~ must contain the following:

18           (1) a statement in reasonable detail of the elements of the health care provider's conduct ~~which~~  
19 that are believed to constitute a malpractice claim, the dates on which the conduct occurred, and the  
20 names and addresses of all physicians, dentists, podiatrists, and hospitals having contact with the claimant  
21 and all witnesses;

22           (2) a statement authorizing the panel to obtain access to all medical, dental, podiatric, and hospital  
23 records and information pertaining to the claim and, for the purposes of its consideration of this matter  
24 only, waiving any privilege as to the contents of those records. ~~Nothing in that~~ The statement may not in  
25 any way be construed as waiving that privilege for any other purpose or in any other context, in or out of  
26 court."

27

28           **Section 4.** Section 27-6-306, MCA, is amended to read:

29           "**27-6-306. Health care provider's appearance and answer -- waiver of confidentiality of records.**

30 (1) If a health care provider involved chooses to retain legal counsel, ~~his~~ the health care provider's attorney

1 shall informally enter ~~his~~ the health care provider's appearance with the director.

2 (2) The health care provider shall answer the application for review and shall submit a statement  
3 authorizing the panel to inspect all medical, dental, podiatric, and hospital records and information  
4 pertaining to the application and, for the purposes of ~~such~~ inspection only, waiving any privilege as to the  
5 contents of those records. ~~Nothing in the~~ The statement waives does not waive that privilege for any other  
6 purpose."

7

8 **Section 5.** Section 27-6-308, MCA, is amended to read:

9 **"27-6-308. Director to furnish panel members with documents.** At least 10 days prior to the  
10 hearing, the director shall furnish to each panel member copies of all claims, briefs, medical, podiatric, or  
11 dental records, and other documents that the director considers necessary."

12

13 **Section 6.** Section 27-6-401, MCA, is amended to read:

14 **"27-6-401. Composition of panel.** (1) Those eligible to sit on the panel are health care providers  
15 licensed pursuant to Montana law and residing in Montana and the members of the state bar of Montana.  
16 Six panel members shall sit in review of each case. Three panel members who are physicians and three  
17 panel members who are attorneys shall sit in review of each case in which the claim is heard only against  
18 one or more physicians. Three panel members who are dentists and three panel members who are attorneys  
19 shall sit in review of each case in which the claim is heard only against one or more dentists. Three panel  
20 members who are podiatrists and three panel members who are attorneys shall sit in review of each case  
21 in which the claim is heard only against one or more podiatrists. If the claim is heard only against one or  
22 more health care facilities, two of the panel members must be administrators of the same type of health  
23 care facility or facilities, one panel member must be a physician, and three panel members must be  
24 attorneys.

25 (2) In all other cases, two of the panel members must be physicians, one panel member must be  
26 an administrator of the same type of health care facility, and three panel members must be attorneys,  
27 except that when a claim is heard against a dentist, a dentist must be substituted for one of the physicians  
28 on the panel and when a claim is heard against a podiatrist, a podiatrist must be substituted for one of the  
29 physicians on the panel."

30

1           **NEW SECTION. Section 7. Podiatric contributions to fund -- delayed implementation -- capital**  
2 **contribution.** The director may not levy an annual assessment against or collect an annual assessment from  
3 podiatrists until 1998. For the years 1998 through 2002, podiatrists shall pay an additional capital  
4 contribution of \$50 to the fund in addition to the amount of the annual assessment computed under  
5 27-6-206.

6

7           **NEW SECTION. Section 8. Applicability.** [This act] applies to causes of action arising on or after  
8 [the effective date of this act].

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INTRODUCED BY *House* BILL NO. *396*  
*Anna Bergman Hallgren*  
*Kathleen Clark* *Chris C. Clark* *Gregory G. Campbell*

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE MONTANA MEDICAL LEGAL PANEL ACT; ADDING PODIATRISTS TO THE MONTANA MEDICAL LEGAL PANEL ACT; PROVIDING FOR A MINIMUM ANNUAL ASSESSMENT OF \$15 AGAINST HEALTH CARE PROVIDERS AND A 5-YEAR CAPITAL CONTRIBUTION BY PODIATRISTS; AMENDING SECTIONS 27-6-103, 27-6-206, 27-6-302, 27-6-306, 27-6-308, AND 27-6-401, MCA; AND PROVIDING AN APPLICABILITY DATE."

**THERE ARE NO CHANGES IN THIS BILL AND IT WILL NOT BE REPRINTED. PLEASE REFER TO INTRODUCED COPY (WHITE) FOR COMPLETE TEXT.**



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INTRODUCED BY *James Bergman* *Hallgren* *Clark* *Chapman* *Conrad* *Corbett*  
*Kath* *House BILL NO. 396*

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE MONTANA MEDICAL LEGAL PANEL ACT; ADDING PODIATRISTS TO THE MONTANA MEDICAL LEGAL PANEL ACT; PROVIDING FOR A MINIMUM ANNUAL ASSESSMENT OF \$15 AGAINST HEALTH CARE PROVIDERS AND A 5-YEAR CAPITAL CONTRIBUTION BY PODIATRISTS; AMENDING SECTIONS 27-6-103, 27-6-206, 27-6-302, 27-6-306, 27-6-308, AND 27-6-401, MCA; AND PROVIDING AN APPLICABILITY DATE."

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

**THERE ARE NO CHANGES IN THIS BILL AND IT WILL NOT BE REPRINTED. PLEASE REFER TO INTRODUCED COPY (WHITE) FOR COMPLETE TEXT.**

## 1 HOUSE BILL NO. 396

2 INTRODUCED BY GRIMES, BERGMAN, HALLIGAN, KOTTEL, CLARK, CRIPPEN, BISHOP, GROSFIELD

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE MONTANA MEDICAL LEGAL PANEL  
5 ACT; ADDING PODIATRISTS TO THE MONTANA MEDICAL LEGAL PANEL ACT; PROVIDING FOR A  
6 MINIMUM ANNUAL ASSESSMENT OF \$15 AGAINST HEALTH CARE PROVIDERS AND A 5-YEAR CAPITAL  
7 CONTRIBUTION BY PODIATRISTS; AMENDING SECTIONS 27-6-103, 27-6-206, 27-6-302, 27-6-306,  
8 27-6-308, AND 27-6-401, MCA; AND PROVIDING AN APPLICABILITY DATE."

9  
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11  
12 **Section 1.** Section 27-6-103, MCA, is amended to read:

13 **"27-6-103. Definitions.** As used in this chapter, the following definitions apply:

14 (1) "Dentist" means:

15 (a) for purposes of the assessment of the annual surcharge, an individual licensed to practice  
16 dentistry under the provisions of Title 37, chapter 4, who at the time of the assessment:

17 (i) has as the individual's principal residence or place of dental practice the state of Montana;

18 (ii) is not employed full-time by any federal governmental agency or entity; and

19 (iii) is not fully retired from the practice of dentistry; or

20 (b) for all other purposes, a person licensed to practice dentistry under the provisions of Title 37,  
21 chapter 4, who at the time of the occurrence of the incident giving rise to the claim:

22 (i) was an individual who had as the principal residence or place of dental practice the state of  
23 Montana and was not employed full-time by any federal governmental agency or entity; or

24 (ii) was a professional service corporation, partnership, or other business entity organized under  
25 the laws of any state to render dental services and whose shareholders, partners, or owners were individual  
26 dentists licensed to practice dentistry under the provisions of Title 37, chapter 4.

27 (2) (a) "Health care facility" means a facility (other than a governmental infirmary but including a  
28 university or college infirmary) licensed as a health care facility under Title 50, chapter 5.

29 (b) For the purposes of this chapter, a health care facility does not include a chemical dependency  
30 facility, an end-stage renal dialysis facility, a home infusion therapy agency, or a residential care facility.

1 (3) "Health care provider" means a physician, a dentist, a podiatrist, or a health care facility.

2 (4) "Hospital" means a hospital as defined in 50-5-101.

3 (5) "Malpractice claim" means a claim or potential claim of a claimant against a health care provider  
4 for medical or dental treatment, lack of medical or dental treatment, or other alleged departure from  
5 accepted standards of health care that proximately results in damage to the claimant, whether the  
6 claimant's claim or potential claim sounds in tort or contract, and includes but is not limited to allegations  
7 of battery or wrongful death.

8 (6) "Panel" means the Montana medical legal panel provided for in 27-6-104.

9 (7) "Physician" means:

10 (a) for purposes of the assessment of the annual surcharge, an individual licensed to practice  
11 medicine under the provisions of Title 37, chapter 3, who at the time of the assessment:

12 (i) has as the individual's principal residence or place of medical practice the state of Montana;

13 (ii) is not employed full-time by any federal governmental agency or entity; and

14 (iii) is not fully retired from the practice of medicine; or

15 (b) for all other purposes, a person licensed to practice medicine under the provisions of Title 37,  
16 chapter 3, who at the time of the occurrence of the incident giving rise to the claim:

17 (i) was an individual who had as the principal residence or place of medical practice the state of  
18 Montana and was not employed full-time by any federal governmental agency or entity; or

19 (ii) was a professional service corporation, partnership, or other business entity organized under  
20 the laws of any state to render medical services and whose shareholders, partners, or owners were  
21 individual physicians licensed to practice medicine under the provisions of Title 37, chapter 3.

22 (8) "Podiatrist" means:

23 (a) for purposes of the assessment of the annual surcharge, an individual licensed to practice  
24 podiatry under the provisions of Title 37, chapter 6, who at the time of the assessment:

25 (i) has as the individual's principal residence or place of podiatric practice the state of Montana;

26 (ii) is not employed full-time by any federal governmental agency or entity; and

27 (iii) is not fully retired from the practice of podiatry; or

28 (b) for all other purposes, a person licensed to practice podiatry under the provisions of Title 37,  
29 chapter 6, who at the time of the occurrence of the incident giving rise to the claim:

30 (i) was an individual who had as the principal residence or place of podiatric practice the state of

1 Montana and was not employed full-time by any federal governmental agency or entity; or  
 2 (ii) was a professional service corporation, partnership, or other business entity organized under  
 3 the laws of any state to render podiatric services and whose shareholders, partners, or owners were  
 4 individual podiatrists licensed to practice podiatry under the provisions of Title 37, chapter 6."

5  
 6 **Section 2.** Section 27-6-206, MCA, is amended to read:

7 **"27-6-206. Funding.** (1) There is a pretrial review fund to be administered by the director  
 8 exclusively for the purposes stated in this chapter. The fund and any income from it must be held in trust,  
 9 deposited in an account, and invested and reinvested by the director with the prior approval of the director  
 10 of the Montana medical association. The fund may not become a part of or revert to the general fund of  
 11 this state but is open to auditing by the legislative auditor.

12 (2) (a) To create the fund, an annual surcharge or assessment must be levied on all health care  
 13 providers. The amount of the assessment must be set annually by the director and must be apportioned  
 14 among physicians, dentists, podiatrists, hospitals, and other health care providers by group. ~~For~~ Except as  
 15 provided in subsection (2)(c), for the group of all physicians, the group of all dentists, the group of all  
 16 podiatrists, the group of all hospitals, and the group of all other health care facilities, the amount of the  
 17 assessment must be proportionate to the respective percentage of total health care providers brought  
 18 before the panel that each group constitutes. The total number and group of health care providers brought  
 19 before the panel must be determined from the annual report of the panel for the years preceding the year  
 20 of assessment.

21 (b) ~~The~~ Except as provided in subsection (2)(c), the amount of the assessment for the group of all;

22 (i) hospitals must be proportionately assessed against each hospital on the basis of each hospital's  
 23 total number of licensed hospital beds, whether used or not, as reflected in the most recent compilation  
 24 of the department of public health and human services. ~~The amount of the assessment for the group of all;~~

25 (ii) physicians must be equally assessed against all physicians. ~~The amount of the assessment for~~  
 26 ~~the group of all;~~

27 (iii) dentists must be equally assessed against all dentists;

28 (iv) podiatrists must be equally assessed against all podiatrists; and

29 ~~The amount of the assessment for the group of all~~

30 (v) other health care facilities must be equally assessed against all other health care facilities.

1 (c) The annual amount of the assessment levied against each health care provider may not be less  
 2 than \$15.

3 (d) Surplus funds, if any, above the amount required for the annual administration of the chapter  
 4 must be retained by the director and used to finance the administration of this chapter in succeeding years,  
 5 in which event the director shall reduce the annual assessment in subsequent years to not less than \$15  
 6 for each health care provider, commensurate with the proper administration of this chapter.

7 (3) The annual surcharge must be paid on ~~or before the date that physicians' and dentists' annual~~  
 8 ~~registration or renewal fees are due under 37-3-313 and 37-4-307~~ April 1 of each year. All unpaid  
 9 assessments bear a late charge fee equal to the judgment rate of interest. The late charge fee is part of the  
 10 annual surcharge. ~~The director has the same powers and duties in connection with the collection of and~~  
 11 ~~failure to pay the annual surcharge as the department of commerce has under 37-3-313 and 37-4-307 in~~  
 12 ~~connection with physicians' and dentists' annual registration or renewal fees.~~ The panel may collect the  
 13 annual surcharge by an action at law."

14

15 **Section 3.** Section 27-6-302, MCA, is amended to read:

16 **"27-6-302. Contents of application -- waiver of confidentiality of medical and dental records.** The  
 17 application ~~shall~~ must contain the following:

18 (1) a statement in reasonable detail of the elements of the health care provider's conduct ~~which~~  
 19 that are believed to constitute a malpractice claim, the dates on which the conduct occurred, and the  
 20 names and addresses of all physicians, dentists, podiatrists, and hospitals having contact with the claimant  
 21 and all witnesses;

22 (2) a statement authorizing the panel to obtain access to all medical, dental, podiatric, and hospital  
 23 records and information pertaining to the claim and, for the purposes of its consideration of this matter  
 24 only, waiving any privilege as to the contents of those records. ~~Nothing in that~~ The statement may not in  
 25 any way be construed as waiving that privilege for any other purpose or in any other context, in or out of  
 26 court."

27

28 **Section 4.** Section 27-6-306, MCA, is amended to read:

29 **"27-6-306. Health care provider's appearance and answer -- waiver of confidentiality of records.**

30 (1) If a health care provider involved chooses to retain legal counsel, ~~his~~ the health care provider's attorney

1 shall informally enter ~~his~~ the health care provider's appearance with the director.

2 (2) The health care provider shall answer the application for review and shall submit a statement  
3 authorizing the panel to inspect all medical, dental, podiatric, and hospital records and information  
4 pertaining to the application and, for the purposes of ~~such~~ inspection only, waiving any privilege as to the  
5 contents of those records. ~~Nothing in the~~ The statement waives does not waive that privilege for any other  
6 purpose."

7

8 **Section 5.** Section 27-6-308, MCA, is amended to read:

9 **"27-6-308. Director to furnish panel members with documents.** At least 10 days prior to the  
10 hearing, the director shall furnish to each panel member copies of all claims, briefs, medical, podiatric, or  
11 dental records, and other documents that the director considers necessary."

12

13 **Section 6.** Section 27-6-401, MCA, is amended to read:

14 **"27-6-401. Composition of panel.** (1) Those eligible to sit on the panel are health care providers  
15 licensed pursuant to Montana law and residing in Montana and the members of the state bar of Montana.  
16 Six panel members shall sit in review of each case. Three panel members who are physicians and three  
17 panel members who are attorneys shall sit in review of each case in which the claim is heard only against  
18 one or more physicians. Three panel members who are dentists and three panel members who are attorneys  
19 shall sit in review of each case in which the claim is heard only against one or more dentists. Three panel  
20 members who are podiatrists and three panel members who are attorneys shall sit in review of each case  
21 in which the claim is heard only against one or more podiatrists. If the claim is heard only against one or  
22 more health care facilities, two of the panel members must be administrators of the same type of health  
23 care facility or facilities, one panel member must be a physician, and three panel members must be  
24 attorneys.

25 (2) In all other cases, two of the panel members must be physicians, one panel member must be  
26 an administrator of the same type of health care facility, and three panel members must be attorneys,  
27 except that when a claim is heard against a dentist, a dentist must be substituted for one of the physicians  
28 on the panel and when a claim is heard against a podiatrist, a podiatrist must be substituted for one of the  
29 physicians on the panel."

30

1           **NEW SECTION. Section 7. Podiatric contributions to fund -- delayed implementation -- capital**  
2 **contribution.** The director may not levy an annual assessment against or collect an annual assessment from  
3 podiatrists until 1998. For the years 1998 through 2002, podiatrists shall pay an additional capital  
4 contribution of \$50 to the fund in addition to the amount of the annual assessment computed under  
5 27-6-206.

6

7           **NEW SECTION. Section 8. Applicability.** [This act] applies to causes of action arising on or after  
8 [the effective date of this act].

9

-END-