

1929

Sponsor(s): Representatives Lantz, Carrell, Cody, McMahan, Schual-Berke, Clibborn, Kessler, Newhouse, Campbell, Moeller, Morrell, Rockefeller, Kirby, Lovick, Kenney, Linville, Veloria, Conway, Simpson, Sommers and Haigh

Brief Description: Reenacting the eight-year statute of repose.

HB 1929 - DIGEST

(AS _____ OF HOUSE 2ND READING 3/18/03)

Declares that the purpose of this act is to respond to the court's decision in *DeYoung v. Providence Medical Center*, 136 Wn.2d 136 (1998), by expressly stating the legislature's rationale for the eight-year statute of repose in RCW 4.16.350.

Recognizes that the eight-year statute of repose alone may not solve the crisis in the medical insurance industry. However, to the extent that the eight-year statute of repose has an effect on medical malpractice insurance, that effect will tend to reduce rather than increase the cost of malpractice insurance.

Finds that it will provide protection against claims, however few, that are stale, based on untrustworthy evidence, or that place undue burdens on defendants.

Finds that an eight-year statute of repose is a reasonable time period in light of the need to balance the interests of injured plaintiffs and the health care industry.