

3200

Sponsor(s): Representatives Lantz, Morrell, Clibborn and Rockefeller

Brief Description: Limiting the time period for bringing an action for personal injury or death resulting from health care.

HB 3200.E - DIGEST

(AS OF HOUSE 2ND READING 2/16/04)

Declares an intent, by establishing a six-year statute of repose in RCW 4.16.350, 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 a statute of repose.

Recognizes that a six-year statute of repose alone may not solve the crisis in the medical insurance industry. However, to the extent that a six-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.

Provides that, whether or not the statute of repose has the actual effect of reducing insurance costs, the legislature finds it will provide protection against claims, however few, that are stale, based on untrustworthy evidence, or that place undue burdens on defendants.