

HOUSE RESEARCH

Bill Summary

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Subject: Medical Malpractice Limitation Period

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- 1 Two or three year limitations.** Removes from section 541.07 the statute of limitations for medical malpractice.
- 2 Health care provider actions.** Relocates the medical malpractice limitation period in its own section. Makes the substantive change that these actions must be brought within two years after the alleged malpractice is discovered or should have been discovered, but in no event later than six years after the limitation period would have begun to run under the statute of limitations for intentional torts. Under the current statute as interpreted by case law, a medical malpractice case must be started within two years after treatment ends.
- 3 Effective date; application.** Section 2 is effective August 1, 1999, for actions begun on or after that date.