

House Bill 3021

Sponsored by Representative CONGER

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Provides that party bringing certain medical liability claims may not amend pleading asserting claim later than 90 days before trial unless all parties consent to amendment.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to amendments to pleadings in medical liability cases; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Notwithstanding the provisions of ORCP 23, a party bringing a claim against**
5 **a health practitioner, as described in ORS 31.740, or against a health care facility, as defined**
6 **in ORS 442.015, based on negligence, unauthorized rendering of health care or product li-**
7 **ability under ORS 30.900 to 30.920, may not amend the pleading asserting the claim later than**
8 **90 days before the trial of the claim, unless all parties consent to the amendment.**

9 **SECTION 2. Section 1 of this 2013 Act applies only to amended pleadings filed on or after**
10 **the effective date of this 2013 Act.**

11 **SECTION 3. This 2013 Act being necessary for the immediate preservation of the public**
12 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
13 **on its passage.**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.