

1 SENATE BILL NO. 352

2 INTRODUCED BY GRIMES

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4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE INADMISSIBILITY OF MEDICAL MALPRACTICE
5 LEGAL PANEL DECISIONS AND THE BASIS FOR THEM; AMENDING SECTION 27-6-704, MCA; AND
6 PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

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10 **Section 1.** Section 27-6-704, MCA, is amended to read:

11 **"27-6-704. Panel proceedings and decision privileged from disclosure in court actions.** (1) A panel
12 member may not be called to testify in a proceeding concerning the deliberations, discussions, decisions, and
13 internal proceedings of the panel.

14 (2) The decision and the reasoning and basis for the decision of the panel are not admissible as
15 evidence in an action subsequently brought in a court of law and are not evidence for any purpose in an action
16 brought under 33-18-201, 33-18-242, or common law."

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18 NEW SECTION. SECTION 2. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE JULY 1, 2005.

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20 NEW SECTION. Section 3. Applicability. [This act] applies to causes of action that arise ON OR after
21 [the effective date of this act].

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