

May 17, 2006

**H 2114. MEDICAL MALPRACTICE SETTLEMENT REPORTS.** Filed 5/17/06. *TO PROVIDE FOR THE REPORTING OF DETAILS OF SETTLEMENTS OF MEDICAL MALPRACTICE CLAIMS, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON HEALTH CARE.*

Enacts new GS 90-21.18D to require that when the parties agree to settle a claim in a medical malpractice action, (1) the insurer must identify the amount of the settlement attributable to economic damages and provide documentation to substantiate that amount; and (2) the attorney for the plaintiff must report the settlement to the Department of Insurance and include certification and documentation of the amount of settlement proceeds received to reimburse any costs incurred in prosecution of the case (including separate amounts spent for expert witnesses, exhibits, travel, and other categories of expense the attorney charges the plaintiff), and the amount of the settlement attributable to attorneys' fees. Specifies that a medical malpractice action is "settled" if any time after the claim is made and before, during, or after trial, the parties agree to end the litigation in exchange for monetary payment. Effective October 1, 2006, and applies to settlements entered into on or after that date.

**Intro. by England, Nye, Wright, Rapp.**

GS 90