

March 20, 2007

S 1089. LIMITED LIABILITY/EMERGENCY MEDICAL CARE. Filed 3/20/07. *PERTAINING TO THE STANDARD OF PROOF IN CERTAIN MEDICAL MALPRACTICE ACTIONS.*

Enacts new GS 90-21.19, addressing the standard of proof in health care liability claims brought against health care providers arising from the provision of emergency medical care. Provides that a claimant may prove that the provider deviated from accepted standards of care or from statutory or regulatory requirements only if the claimant shows "clear and convincing evidence that the health care provider deviated from the degree of care and skill that is reasonably expected of a reasonable, prudent health care provider in the same or similar circumstances."

Intro. by Purcell.

GS 90