

State of Arizona
Senate
Forty-fifth Legislature
First Regular Session
2001

SENATE BILL 1208

AN ACT

AMENDING SECTION 12-570, ARIZONA REVISED STATUTES; RELATING TO HEALTH CARE ACTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 12-570, Arizona Revised Statutes, is amended to
3 read:

4 12-570. Malpractice settlement or award reporting; civil
5 penalty; cost of notice and documents

6 A. If a medical malpractice action is settled or a court enters a
7 monetary judgment, the plaintiff's attorney and the professional liability
8 insurers shall provide the defendant's health profession regulatory board
9 with the notice required under subsection B of this section, a copy of the
10 complaint and a copy of either the agreed terms of settlement or the
11 judgment. The attorney shall provide this notice and these documents within
12 thirty days after a settlement is reached or a judgment is entered. For the
13 purposes of this subsection, "health profession regulatory board" has the
14 same meaning prescribed in section 32-3201.

15 B. The notice required by subsection A of this section shall contain
16 the following information:

- 17 1. The name and address of each defendant.
- 18 2. The name and address of each plaintiff.
- 19 3. The date and location of the occurrence which created the claim.
- 20 4. A statement specifying the nature of the occurrence resulting in
21 the malpractice action.

22 5. A copy of all expert witness depositions, a transcript of all
23 expert witness court testimony or a written evaluation of the case by an
24 expert witness. **A PROFESSIONAL LIABILITY INSURER IS NOT RESPONSIBLE FOR
25 PROVIDING THE INFORMATION REQUIRED BY THIS PARAGRAPH.**

26 C. The notice required by subsection A of this section is not
27 discoverable and not admissible as evidence.

28 D. An attorney who does not supply the information required by
29 subsections A and B of this section within thirty days after the notice of
30 settlement or judgment is due under subsection A of this section is subject
31 to a civil penalty of five hundred dollars.

32 **E. IF THE NOTICE AND DOCUMENTS PRESCRIBED IN THIS SECTION ARE PROVIDED
33 TO THE BOARD OF MEDICAL EXAMINERS, THE BOARD SHALL PAY FOR THE COST OF THE
34 NOTICE AND DOCUMENTS. THE COST FOR EACH PAGE OF THE NOTICE AND DOCUMENTS IS
35 TWENTY-FIVE CENTS.**

36 **F. IF THE NOTICE AND DOCUMENTS PRESCRIBED IN THIS SECTION ARE PROVIDED
37 TO THE BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY, THE BOARD
38 SHALL PAY FOR THE COST OF THE NOTICE AND DOCUMENTS. THE COST FOR EACH PAGE
39 OF THE NOTICE AND DOCUMENTS IS TWENTY-FIVE CENTS.**

40 Sec. 2. Effective date

41 Section 12-570, Arizona Revised Statutes, as amended by this act, is
42 effective from and after June 30, 2003.