

Fiscal Estimate Narratives

DOA 6/20/01

LRB Number	01-2616/1	Introduction Number	SB-170	Estimate Type	Original
Subject					
Notice of claim against state employee in medical malpractice action					

Assumptions Used in Arriving at Fiscal Estimate

This bill extends the deadline for filing a medical malpractice claim against a state employee, officer or agent.

The DOA Bureau of State Risk Management indicates that on average 55 medical malpractice claims are filed annually. Of these, approximately 10% result in a settlement. Between FY97 and FY00, annual paid claims ranged between \$1,223,000 and \$2,155,200. The average settlement during this period was \$325,000. Under this bill, claims cost would likely increase due to two factors. First, longer filing periods make it more difficult for the involved parties to recollect the procedures that led to the incident, thus making defense more difficult. Second, some claims would be brought that would otherwise be ineligible due to the 180 day limitation for filing notice of claim with the Attorney General's Office.

The department is unable to estimate the increased number of claims at this time.

Long-Range Fiscal Implications

Unknown