

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 835**

Introduced by Howard, 9.

Read first time January 08, 2010

Committee: Judiciary

A BILL

1 FOR AN ACT relating to insurance; to amend section 44-2835, Revised  
2 Statutes Cumulative Supplement, 2008; to change certain  
3 reporting provisions under the Nebraska Hospital-Medical  
4 Liability Act; and to repeal the original section.  
5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 44-2835, Revised Statutes Cumulative  
2 Supplement, 2008, is amended to read:

3           44-2835 (1) Each malpractice claim settled or adjudicated  
4 to final judgment against a health care provider under the Nebraska  
5 Hospital-Medical Liability Act shall be reported to the director  
6 by the plaintiff's attorney and by the health care provider or his  
7 or her insurer or risk manager within sixty days following final  
8 disposition of the claim. Such report to the director shall state  
9 the following:

10           (a) The nature of the claim and the name and address  
11 of the health care provider who rendered the service that is the  
12 subject of the claim;

13           (b) The alleged injury and the damages asserted;

14           (c) Attorney's fees and expenses incurred in connection  
15 with the claim or defense; and

16           (d) The amount of any settlement or judgment.

17           (2) The director shall forward the name of every health  
18 care provider, except a hospital, against whom a settlement has  
19 been made or judgment has been rendered under the act to the  
20 Department of Health and Human Services for such action, if any, as  
21 it deems to be appropriate under the circumstances.

22           (3) Beginning January 1, 2011, and annually thereafter,  
23 the Department of Health and Human Services shall collate and  
24 report the data received under subsection (2) of this section  
25 to the Clerk of the Legislature and to the chairpersons of

1 the Judiciary and Health and Human Services Committees of the  
2 Legislature.

3           Sec. 2. Original section 44-2835, Revised Statutes  
4 Cumulative Supplement, 2008, is repealed.