

Litigation Section  
Bill Summary Report

**Litigation Section**

[HB 3519](#)

**Position**

No Position 0

**Summary:** Prohibits commencement of civil action against health care provider until after submission of health care claim to medical legal panel. Establishes membership and procedures for medical legal panels. Requires disclosure of identity of expert witness and summary of expert's opinion in health care claims. Provides that findings of medical legal panels are not admissible in subsequent proceedings. Provides that records and hearings of medical legal panels are not subject to public disclosure. Provides that costs of medical legal panels be paid by surcharges on health care providers. Establishes Medical Legal Panel Fund. Continuously appropriates moneys in fund to Chief Justice of Supreme Court for payment of costs of medical legal panels. Declares emergency, effective on passage.

**Relating To:** Relating to civil actions; appropriating money; declaring an emergency.  
2/28/11 H - Referred to Health Care with subsequent referral to Ways and Means.  
2/21/11 H - First reading. Referred to the desks of the Co-Speakers.

[HB 3525](#)

**Position**

No Position 0

**Summary:** Provides that 10 percent of amount awarded as punitive damages under verdict in civil action is payable to Attorney General for deposit in Courthouse Capital Improvement Trust Fund. Establishes Courthouse Capital Improvement Trust Fund. Appropriates moneys in the account to Oregon Department of Administrative Services, and limit uses of those moneys to payment of costs of capital improvements to county courthouses. Declares emergency, effective on passage.

**Relating To:** Relating to courthouse capital improvements; appropriating money; declaring an emergency.  
2/28/11 H - Referred to Judiciary with subsequent referral to Ways and Means.  
2/21/11 H - First reading. Referred to the desks of the Co-Speakers.

[SB 0819](#)

**Position**

No Position 0

**Summary:** Prohibits recording of notice of pending action for inverse condemnation action. Provides that upon violation of prohibition, court must award plaintiff \$5,000, or three times damages suffered by plaintiff by reason of recording, whichever amount is greater. Requires award of attorney fees and costs incurred by plaintiff that are attributable to recording. Applies to inverse condemnation actions commenced on or after January 1, 2008. Declares emergency, effective on passage.

**Relating To:** Relating to notices of pending actions; declaring an emergency.  
2/25/11 S - Referred to Judiciary.  
2/22/11 S - Introduction and first reading. Referred to President's desk.

[SB 0869](#)

**Position**

No Position 0

**Summary:** Provides that medical debt of spouse or ex-spouse incurred during marriage or after separation or dissolution of marriage is debt of spouse receiving medical health care and services if spouses have separated or dissolved their marriage. Prohibits legal action against spouse that did not receive medical health care and services to collect medical debt. Prohibits court from dividing medical debt between spouses in domestic relations proceedings.

**Relating To:** Relating to medical debt of spouses.

2/25/11 S - Referred to Judiciary.  
2/22/11 S - Introduction and first reading. Referred to President's desk.

**[SB 0876](#)**

**Position**

No Position 0

**Summary:** Modifies law relating to offset of collateral benefits in tort actions. Provides that if award of damages is made for personal injury or death, and before entry of verdict person who was injured or died received benefits by reason of injury or death from source other than defendant, upon motion court must deduct amount of benefits from money award. Declares emergency, effective on passage.

**Relating To:** Relating to damages; declaring an emergency.

2/25/11 S - Referred to Judiciary.  
2/22/11 S - Introduction and first reading. Referred to President's desk.