

ACT 62

S.B. NO. 25

A Bill for an Act Relating to Medical Claims Conciliation Panels.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 671, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§671- Expungement of records; malpractice insurance rates. (a) Upon a decision by the medical claim conciliation panel finding for the health care provider pursuant to section 671-15(a), the health care provider may apply to the panel for expungement of all records of the related proceedings. The panel shall expunge all records if a majority of the panel finds that the complaint is fraudulent or frivolous.

(b) No insurer providing professional liability insurance for a health care provider shall increase any premium rate for the health care provider on the basis of the filing of a medical tort claim against the health care provider that is determined by the medical claim conciliation panel to be fraudulent or frivolous.”

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SECTION 2. New statutory material is underscored.¹

SECTION 3. This Act shall take effect upon its approval.

(Approved April 26, 1993.)

Note

1. Edited pursuant to HRS §23G-16.5.