



Hundredth Legislature - First Session - 2007
Committee Statement
LB 373

Hearing Date: February 7, 2007
Committee On: Judiciary

Introducer(s): (Schimek)

Title: Provide for inadmissibility of apologies regarding medical care as evidence

Roll Call Vote – Final Committee Action:

- Advanced to General File
 - X Advanced to General File with Amendments
 - Indefinitely Postponed
-

Vote Results:

6	Yes	Sen Ashford, Sen. McDonald, Sen. McGill, Sen. Pedersen, Sen. Pirsch, Sen. Schimek
2	No	Sen. Chambers, Sen. Lathrop
	Present, not voting	
	Absent	

Proponents:

Sen Schimek
Rowen Zetterman
Peter Whitted
Brendan Polt
Bruce Rieker

Representing:

NMA
COPIC

NHA

Opponents:

Kerth Brashear
Chris Welsh

Representing:

NSBA
NATA

Neutral:

Representing:

Summary of purpose and/or changes: In current practice, doctors and nurses are discouraged from talking to patients and their families if something goes wrong with a medical treatment or surgery because their statements can be used against them in future litigation.

Legislative Bill 373 prohibits the use of apologies as admissions of liability or as evidence of admissions against interest.

Explanation of amendments, if any:

AM 447 removes statements of fault from the list of statements that would be inadmissible as admissions of liability or as evidence of admissions against interest if uttered by a doctor or a nurse to a patient. The amendment also includes a statement reiterating that statements of fault will be admissible.

Senator Brad Ashford, Chairperson