

**Department of Legislative Services**  
Maryland General Assembly  
1999 Session

**FISCAL NOTE**  
**Revised**

House Bill 640 (Delegates Grosfeld and Vallario)

Judiciary

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**Health Care Malpractice - Children - Limitations**

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This bill alters the time when the statute of repose applies on filing a health care malpractice claim for a child. Under current law, a claimant must file a malpractice claim within five years of the time the injury was committed or within three years of the date the injury was discovered. However, if the claimant was under the age of 11 years at the time the injury was committed, these time limitations do not commence until the claimant reaches age 11. The bill changes the age at which the time limitations commence from 11 to 16 years old.

This bill must be construed only prospectively and may not be applied to any cause of action arising before the bill's effective date.

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**Fiscal Summary**

**State Effect:** None. Any additional malpractice claims can be handled with existing Health Care Arbitration Office and Judiciary resources.

**Local Effect:** None.

**Small Business Effect:** None.

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**Information Source(s):** Judiciary (Administrative Office of the Courts), Health Claims Arbitration Office, Department of Legislative Services

**Fiscal Note History:** First Reader - February 25, 1999  
Inc/jr Revised - House Third Reader - March 30, 1999

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