

2018 Kansas Statutes

65-4904. Recommendations on issue; concurring and dissenting opinions; notice to parties; copy of opinion to judge; admissibility of screening panel's report and subpoena of panel members in subsequent legal proceedings. (a) Within 180 days after the screening panel is commenced, such panel shall make written recommendations on the issue of whether the health care provider departed from the standard of care in a way which caused the plaintiff or claimant damage. A concurring or dissenting member of the screening panel may file a written concurring or dissenting opinion. All written opinions shall be supported by corroborating references to published literature and other relevant documents.

(b) The screening panel shall notify all parties when its determination is to be handed down, and, within seven days of its decision, shall provide a copy of its opinion and any concurring or dissenting opinion to each party and each attorney of record and to the judge of the district court.

(c) The written report of the screening panel shall be admissible in any subsequent legal proceeding, and either party may subpoena any and all members of the panel as witnesses for examination relating to the issues at trial, provided the panel member or members otherwise meet the qualifications of K.S.A. 60-3412, and amendments thereto.

History: L. 1976, ch. 249, § 4; L. 1986, ch. 229, § 49; L. 1999, ch. 57, § 65; L. 2001, ch. 6, § 2; L. 2008, ch. 80, § 7; L. 2012, ch. 67, § 6; July 1.