

HOUSE No. 1615

At the request of Mr. Sherman of Somerville, the petition of James P. Brennan and Frank Hurley that provision be made for the limitation of certain actions against physicians, surgeons and dentists, was taken from the files of the preceding year. Judiciary (Joint).

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Six.

An Act providing for the Limitation of Certain Actions
against Physicians, Surgeons and Dentists.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section four of chapter two hundred and sixty of
2 the General Laws, as appearing in the Tercentenary
3 Edition, is hereby amended by striking out, in the
4 sixth line, the words "physicians, surgeons, den-
5 tists," — and by inserting after the word "accrues;"
6 in the eighth line, the words:— actions of contract
7 or tort for malpractice, error or mistake against phy-
8 sicians, surgeons and dentists,— so as to read as
9 follows:— *Section 4.* Actions for assault and bat-
10 tery, false imprisonment, slander, actions against
11 sheriffs, deputy sheriffs, constables or assignees in
12 insolvency for the taking or conversion of personal
13 property, actions of tort for injuries to the person
14 against counties, cities and towns, and actions of
15 contract or tort for malpractice, error or mistake

16 against optometrists, hospitals and sanitaria, shall be
17 commenced only within two years next after the
18 cause of action accrues; actions of contract or tort
19 for malpractice, error or mistake against physicians,
20 surgeons and dentists, and actions for libel and
21 actions of tort for bodily injuries or for death the
22 payment of judgments in which is required to be
23 secured by chapter ninety and also such actions
24 against officers and employees of the commonwealth,
25 of the metropolitan district commission, and of any
26 county, city or town, arising out of the operation of
27 motor vehicles owned by the commonwealth, includ-
28 ing those under the control of said commission, or
29 by any such county, city or town, suits by judg-
30 ment creditors in such actions of tort under section
31 one hundred and thirteen of chapter one hundred and
32 seventy-five and clause (10) of section three of chap-
33 ter two hundred and fourteen and suits on motor
34 vehicle liability bonds under section thirty-four G of
35 said chapter ninety shall be commenced only within
36 one year next after the cause of action accrues.