

By Mr. Khachadorian of Arlington (by request), petition of Myer H. Goldman for legislation to change the statute of limitations covering malpractice cases. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Seven.

AN ACT CHANGING THE STATUTE OF LIMITATIONS COVERING MALPRACTICE CASES.

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

1 Chapter 260 of the General Laws is hereby amended in sec-
2 tion 4 by striking out in the first sentence thereof the following
3 words:— “physicians, surgeons, dentists, optometrists, hos-
4 pitals and sanitarium” and by adding at the end thereof after the
5 word “accrues” the following:— and actions of contract or tort
6 for malpractice, error or mistake against physicians, surgeons,
7 dentists, optometrists, and hospitals and sanitarium, shall be com-
8 menced only within two years next after the injured party has
9 knowledge of the facts which give rise to a cause of action, —
10 so that the sentence shall read as follows:— Actions for assault
11 and battery, false imprisonment, slander, actions against sheriffs,
12 deputy sheriffs, constables or assignees in insolvency for the tak-
13 ing or conversion of personal property, actions of tort for injuries
14 to the person against counties, cities and towns, and actions of
15 contract or tort for malpractice, error or mistake against hair-
16 dressers, operators and shops registered under sections eighty-
17 seven T to eighty-seven JJ, inclusive, of chapter one hundred and
18 twelve, shall be commenced only within two years next after the
19 cause of action accrues, and actions of contract or tort for mal-
20 practice, error or mistake against physicians, surgeons, dentists,
21 optometrists, and hospitals and sanitarium, shall be commenced
22 only within two years next after the injured party has knowledge
23 of the facts which give rise to a cause of action.

