

ACT 207

H. B. NO. 637

A Bill for an Act Relating to Discovery of Proceedings and Records of Review Committees of Medical Societies and Hospitals.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 625, Hawaii Revised Statutes, is amended by adding a new section to Part II to be appropriately designated and to read as follows:

“Sec. 625- Proceedings and records of medical peer review committees and hospitals. Neither the proceedings nor the records of peer review committees of medical staffs in hospitals having the responsibility of evaluation and improvement of the quality of care rendered in the hospital or peer review committees of local medical societies shall be subject to discovery. Except as hereinafter provided, no person in attendance at a meeting of any such committee shall be required to testify as to what transpired at such meeting. The prohibition relating to discovery or testimony shall not apply to the statements made by any person in attendance at such a meeting who is a party to an action or proceeding the subject matter of which was reviewed at such meeting, or to any person requesting hospital staff privileges, or in any action against an insurance carrier alleging bad faith by the carrier in refusing to accept a settlement offer within the policy limits.

The prohibitions contained in this section shall not apply to medical society committees that exceed ten per cent of the membership of the society, nor to any such committee if any person serves upon the committee when his own conduct or practice is being reviewed.

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 3. This Act shall take effect upon its approval.

(Approved June 21, 1971.)

* Edited accordingly.