

STATE OF NEW YORK

2372

2017-2018 Regular Sessions

IN ASSEMBLY

January 18, 2017

Introduced by M. of A. GALEF, GUNTHER, SCHIMMINGER, FRIEND, GOODELL --
Multi-Sponsored by -- M. of A. MAGEE, MONTESANO -- read once and
referred to the Committee on Judiciary

AN ACT to amend the civil practice law and rules, in relation to exclud-
ing an apology statement as an admission of liability in a medical
malpractice lawsuit

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. The civil practice law and rules is amended by adding a
2 new section 4549 to read as follows:

3 § 4549. Statement of apology or regret in medical, dental or podiatric
4 malpractice. Notwithstanding any other provision of this article to the
5 contrary, in any action for medical, dental or podiatric malpractice,
6 any communication or conduct by a health care provider expressing apolo-
7 gy or regret, made in good faith to a patient or a patient's relative is
8 inadmissible in any civil proceeding as an admission of liability or
9 against interest.

10 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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