

**SENATE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**O'Leary, Robert (SEN)**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to expert witnesses in actions for medical malpractice.

PETITION OF:

NAME:

O'Leary, Robert (SEN)

DISTRICT/ADDRESS:

Cape and Islands

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S00988 OF 2007-2008.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand and Nine**

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1 AN ACT RELATIVE TO EXPERT WITNESSES IN ACTIONS FOR MEDICAL MALPRACTICE.

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

2 SECTION 1. Chapter 231 of the general laws, as appearing in the 2006 official edition is hereby  
3 amended by adding after section 60K, the following new section:

4 Section 60L. In any action for malpractice, negligence, error, omission, mistake or the unauthorized  
5 rendering of professional services against a provider of health licensed pursuant to section 2 of chapter  
6 112, including actions pursuant to section 60B of this chapter, an expert witness shall be board certified  
7 in the same specialty as the defendant physician as licensed pursuant to section 2 of chapter 112.