

**EFFECTIVE DATES
for
MEDICAL MALPRACTICE
and TORT REFORM**

CIVIL PATTERN JURY INSTRUCTION COMMITTEE
June 2013

CONTENTS

Tort Reform1
Medical Malpractice and Bifurcation2

APPENDIX

Session Law 2011-283/ House Bill 542

Session Law 2011-317/Senate Bill 586

Session Law 2011-400/Senate Bill 33

Excerpts from *North Carolina Rules of Court* (West)

**TORT REFORM
EFFECTIVE DATES**

	HB 542 Sess. 2011-283 <i>24 June 2011</i>	SB 586 Sess. 2011-317 <i>27 June 2011</i>	West Rulebook	N.C.P.I.
N.C. R. Evid. 414 Actual Med Expenses N.C. Gen. Stat. § 8-58.1 Med Expenses Presumptions	Effective October 1, 2011, and applies to actions <i>commenced</i> on or after that date	Effective October 1, 2011, and applies to causes of actions <i>arising</i> on or after that date	“eff. Oct. 1, 2011”	810.04A-D 810.44A-D 810.48A-D
N.C. R. Evid. 702(a) (“ <i>Daubert</i> ”)	Effective October 1, 2011, and applies to actions <i>commenced</i> on or after that date	Effective October 1, 2011, and applies to causes of actions <i>arising</i> on or after that date	“eff. Oct. 1, 2011”	(none)

ARISING on or after October 1
is the correct effective date for
N.C. R. Evid. 414
N.C. Gen. Stat. § 8-58.1
N.C. R. Evid. 702(a).

**MEDICAL MALPRACTICE and BIFURCATION
EFFECTIVE DATES**

SB 33
Sess. 2011-400
25 July 2011

N.C.P.I.

<p>N.C. R. Civ. P. 42(b)(3) Bifurcation – damages greater than 150k</p>	<p>Effective October 1, 2011, and applies to actions <i>commenced</i> on or after that date</p>	<p style="text-align: center;">(none)</p>
<p>N.C. R. Civ. P. 9(j) Medmal - complaint certification</p>	<p>Effective October 1, 2011, and applies to actions <i>commenced</i> on or after that date</p>	<p style="text-align: center;">(none)</p>
<p>N.C. R. Evid. 702(h) Medmal – Standard of Care experts</p>	<p>Effective October 1, 2011, and applies to actions <i>commenced</i> on or after that date</p>	<p style="text-align: center;">(none)</p>
<p>N.C. Gen. Stat. § 90-21.19, § 90-21.19B Medmal - Noneconomic Damages Limits</p>	<p>Effective October 1, 2011, and applies to actions <i>commenced</i> on or after that date</p>	<p style="text-align: center;">809.100 through .160 809.199</p>
<p>N.C. Gen. Stat. § 90-21.11 Medmal - Definitions N.C. Gen. Stat. § 90-21.12(a) Medmal - Standard of Care</p>	<p>Effective October 1, 2011, and applies to causes of actions <i>arising</i> on or after that date</p>	<p style="text-align: center;">809.00A 809.03A 809.05A 809.06</p>
<p>N.C. Gen. Stat. § 90-21.12(b) Medmal - Emergency Medical Condition</p>	<p>Effective October 1, 2011, and applies to causes of actions <i>arising</i> on or after that date</p>	<p style="text-align: center;">809.20A through .28</p>

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Contents

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