

FIRST REGULAR SESSION

# HOUSE BILL NO. 588

92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE JOHNSON (90).

Read 1<sup>st</sup> time March 3, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1162L.011

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## AN ACT

To amend chapter 538, RSMo, by adding thereto one new section relating to attorney fees in medical malpractice cases.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 538, RSMo, is amended by adding thereto one new section, to be  
2 known as section 538.223, to read as follows:

**538.223. In any action against a health care provider for damages for personal  
2 injury or death arising out of the rendering or the failure to render health care services,  
3 a plaintiff's attorney retained on a contingency fee basis shall not recover a fee from such  
4 plaintiff unless the plaintiff recovers successfully against a defendant.**