

HB 597 -- Expert Witnesses

Sponsor: Pratt

This bill establishes qualifications for expert witnesses in cases involving medical malpractice claims. To serve as an expert witness, a person must be a licensed physician certified by the American Board of Medical Specialities or the American Board of Osteopathic Specialties in an area directly related to the claim. The witness must also, within one year of the date of the alleged occurrence, be actively engaged in the clinical practice of medicine with at least three-fourths of his or her time dedicated to the same or substantially similar specialty as the defendant. Any physician licensed in another state who testifies as an expert witness in Missouri will be deemed to have a temporary license for the practice of medicine in this state.

The bill also makes evidence inadmissible if it has been obtained under an agreement with a third party who receives a contingency fee for providing, locating, or arranging for a medical expert witness. It will be considered unprofessional conduct for any expert to provide medical testimony on a contingency fee basis or testimony that the expert knows is false, fraudulent, or misleading.