

HB 2108 -- MERCHANDISING PRACTICES ACT

SPONSOR: Trent

COMMITTEE ACTION: Voted "Do Pass" by the Special Committee on Litigation Reform by a vote of 5 to 2.

This bill amends the Merchandising Practices Act by prohibiting any action for personal injury or death from being brought under the act.

PROPONENTS: Supporters say that this statute is improperly used to bring medical malpractice and personal injury claims. This creates a problem for health care providers as attorney fees under the Act are not covered by insurance policies, and it causes Missouri to lose doctors to other states.

Testifying for the bill were Representative Trent; Associated Industries of Missouri; Missouri Hospital Association; and Missouri Organization of Defense Lawyers.

OPPONENTS: Those who oppose the bill say that there are no known successful cases against a hospital using this statute.

Testifying against the bill was Missouri Association of Trial Attorneys (MATA).