

NEWS RELEASE

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Supreme Court of Pennsylvania
Med Mal rules' changes
To further improve data collection

HARRISBURG, December 27, 2004 — A change in descriptive wording required by Pennsylvania's Civil Procedural Rules of Court will help to more readily identify medical malpractice cases. The change is contained in an Order issued today by the Supreme Court of Pennsylvania. It outlines new filing requirements in certain civil actions to enhance the collection and accuracy of data in medical professional liability cases. Those new requirements will further improve the judiciary's ability to analyze statistical data regarding med-mal cases so that state policy makers can better understand relevant med-mal issues.

"These changes will enhance the collection and accuracy of data in medical professional liability cases and again underscore the judiciary's commitment to address an issue of significant importance to the Commonwealth's citizens," Chief Justice of Pennsylvania Ralph J. Cappy said. "This provides a mechanism for a more effective and uniform way to collect information that should prove valuable in addressing common sense solutions to the challenges faced by the complexity of medical professional liability."

New Rule 1042.16 requires the caption for all legal papers filed in a medical malpractice action to contain the designation "Civil Action — Medical Professional Liability Action." The new designation must be noted on a cover sheet in those counties that require a cover sheet.

In the same order issued today, the court amended Rule of Civil Procedure 1018 to clarify the requirements for captions in civil pleadings to cross-reference new Rule 1042.16.

The changes will assist the Administrative Office of Pennsylvania Courts in the performance of its statutory duties in obtaining and developing statistical information in medical professional liability actions imposed by the Medical Care Availability and Reduction of Error Act, also known as the Mcare Act.

A collaborative effort among members of the Supreme Court's Civil Procedural Rules Committee and AOPC staff provided the basis for the court's consideration of the changes.

(The order can be found on the Pennsylvania Judiciary Web site: www.courts.state.pa.us)