

SB 111 - AS INTRODUCED

2021 SESSION

21-0966

08/05

SENATE BILL ***111***

AN ACT relative to claims for medical monitoring.

SPONSORS: Sen. Carson, Dist 14

COMMITTEE: Judiciary

ANALYSIS

This bill establishes the elements of a claim for medical monitoring and the damages that may be awarded.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

In the Year of Our Lord Two Thousand Twenty One

Be it Enacted by the Senate and House of Representatives in General Court convened:

II. If medical monitoring relief is awarded, a court may place the award into a court-

1 supervised program administered by one or more medical professionals.

2 III. Upon an award of medical monitoring damages, the court may award to the plaintiff
3 reasonable attorney's fees and other litigation costs reasonably incurred.

4 125-T:5 Statute of Limitation. Medical monitoring claims shall be made with 3 years of the
5 effective date of this chapter or discovery of exposure. The date when the PFAS was released is
6 immaterial for purposes of this section.

7 125-T:6 Severability. If any provision of this chapter or the application thereof to any person or
8 circumstances is held invalid, such invalidity shall not affect other provisions or applications of the
9 chapter which can be given effect without the invalid provision or application, and to this end the
10 provisions of this chapter are declared to be severable.

11 2 Effective Date. This act shall take effect upon its passage.