

Pennsylvania Supreme Court Postpones Consideration of Proposed Repeal of Medical Malpractice Venue Rule

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Healthcare Alert

2.15.19

The December 22, 2018 proposal by the Civil Procedural Rules Committee of the Supreme Court of Pennsylvania to repeal the medical malpractice venue rule, Pa. R. Civ. P. 1006(a.1), which requires medical malpractice actions to be brought in the county in which the cause of action arose, immediately generated questions as to the factual basis for the Committee's conclusion that the medical malpractice venue rule "no longer appears warranted." See 48 Pa.B. 7744.

Following a Pennsylvania Senate resolution requesting additional time to study the impact of the proposed rule repeal, the Supreme Court took the extraordinary step on February 14, 2019 of announcing in a letter to the leadership of the Pennsylvania General Assembly that the Supreme Court would not take any action on the proposed rule change until it had the opportunity to review the report of Legislative Budget and Finance Committee ordered by the Senate resolution.

Although the Supreme Court will postpone consideration of the proposed repeal of the rule, the Civil Procedural Rules Committee comment period has not been extended. Therefore, White and Williams LLP, in coordination with various defense organizations and medical societies, will submit written comments in opposition to the proposed rule change. Because we understand how important this issue is to every healthcare provider in the Commonwealth, we remain ready and able to assist in drafting a comment in opposition to the proposed amendment for the Committee's consideration.

If you would like our assistance or additional information regarding this issue, please contact Kim Kocher (kocherk@whiteandwilliams.com; 215.864.6332), Joshua Gajer (gajerj@whiteandwilliams.com; 215.864.6837) or another member of the Healthcare Group.

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