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## SENATE BILL NO. 663

Offered January 8, 2020

Prefiled January 7, 2020

A *BILL to amend the Code of Virginia by adding a section numbered 54.1-2910.5, relating to the practice of medicine and other healing arts; provision of litigation assistance.*

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Patron—Surovell

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Referred to Committee on Education and Health

**Be it enacted by the General Assembly of Virginia:****1. That the Code of Virginia is amended by adding a section numbered 54.1-2910.5 as follows:****§ 54.1-2910.5. Litigation assistance.***A. Providers licensed pursuant to this chapter shall:**1. Provide a legal consult fee schedule to a treated patient's attorney within five business days of the request of the patient or attorney. Such legal consult fee schedule shall include an hourly fee to be billed in increments of no greater than a quarter of an hour, a half-day fee, and a full-day fee.**2. Schedule and participate in a meeting with a treated patient's attorney, either in person or by telephone, within 14 days of a request for such meeting. Participation in the meeting may be made contingent upon advance payment of the legal consult fee for the meeting and certification by the patient's attorney that they are not investigating any medical malpractice matter on behalf of the patient.**3. Participate as needed in trial or de bene esse depositions upon at least 30 days' written notice from a patient's attorney. Participation in trial or de bene esse depositions may be made contingent upon payment, required no more than 14 days in advance, of the legal consult fee for the trial or de bene esse deposition.**4. Provide a written estimate of the cost of the patient's medical services that the provider opines are necessary due to the incident that is the subject of litigation.**B. No provider licensed pursuant to this chapter may refuse services to a patient who is insured or otherwise has the ability to pay for provided services on the ground that such person was involved in an incident that is the subject of litigation or could result in litigation.**C. Providers found in violation of this section may be subject to disciplinary action pursuant to § 54.1-2915.*

INTRODUCED

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