



General Assembly

January Session, 2007

Raised Bill No. 1346

LCO No. 4645

04645_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING INDEPENDENT MEDICAL EXAMINATIONS IN PERSONAL INJURY ACTIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 52-178a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 In any action to recover damages for personal injuries, [the court or
4 judge may order the plaintiff to submit to a physical examination by
5 one or more physicians or surgeons. No party may be compelled to
6 undergo a physical examination by any physician to whom he objects
7 in writing submitted to the court or judge] any opposing party may
8 request that the plaintiff submit to a physical or mental examination by
9 one or more health care providers by filing a request with the court.
10 The request shall specify the time, place, manner, conditions and scope
11 of the examination and the health care providers who shall conduct the
12 examination. The plaintiff shall comply with such request not later
13 than ten days after the date the request is filed with the court unless
14 the plaintiff files a written objection to the examination with the court
15 within such ten-day period. The written objection shall specify the
16 portions of the request that are the subject of the objection and the

17 reasons for the objection. The court shall order the plaintiff to submit
18 to such examination except upon the showing of good cause by the
19 plaintiff that such examination should not be ordered.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	52-178a

Statement of Purpose:

To require a plaintiff to comply with a request for an independent medical examination in a personal injury action except upon a showing of good cause by the plaintiff.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]