

2018 -- H 8166

LC005606

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

A N A C T

RELATING TO HEALTH AND SAFETY - THE HOSPITAL CONVERSIONS ACT

Introduced By: Representatives Shekarchi, Mattiello, Slater, McNamara, and Ackerman

Date Introduced: May 04, 2018

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 23-17.14 of the General Laws entitled "The Hospital Conversions
2 Act" is hereby amended by adding thereto the following section:

3 **23-17.14-35. Court-approved settlements.**

4 The following provisions apply solely and exclusively to judicially approved good faith
5 settlements of claims relating to the St. Joseph Health Services of Rhode Island Retirement Plan,
6 also sometimes known as the St. Joseph Health Services of Rhode Island pension plan:

7 (1) A release by a claimant of one joint tortfeasor, whether before or after judgment, does
8 not discharge the other joint tortfeasors unless the release so provides, but such release shall
9 reduce the claim against the other joint tortfeasors in the amount of the consideration paid for the
10 release.

11 (2) A release by a claimant of one joint tortfeasor relieves them from liability to make
12 contribution to another joint tortfeasor.

13 (3) For purposes of this section, a good faith settlement is one that does not exhibit
14 collusion, fraud, dishonesty, or other wrongful or tortious conduct intended to prejudice the non-
15 settling tortfeasor(s), irrespective of the settling or non-settling tortfeasors' proportionate share of
16 liability.

1 SECTION 2. This act shall take effect upon passage and shall apply to all claims pending
2 at the time of passage or asserted thereafter; provided, however, that this act shall not apply to,
3 affect or impair releases executed before the date of passage.

=====
LC005606
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY - THE HOSPITAL CONVERSIONS ACT

1 This act would provide that in connection with judicially approved good faith settlements
2 of claims relating to the St. Joseph Health Services of Rhode Island Retirement Plan, a release by
3 a claimant of one joint tortfeasor shall not discharge other joint tortfeasors unless the release so
4 provides, but shall reduce the claim against the other joint tortfeasors in the amount of the
5 consideration paid.

6 This act would take effect upon passage and would apply to claims pending at the time of
7 passage or asserted thereafter; provided, however, that this act would not apply to, affect or
8 impair releases executed before the date of passage.

=====
LC005606
=====