

University of Colorado Law School

Colorado Law Scholarly Commons

Session Laws 1951-2000

Colorado Session Laws

1971

Amending Section 87-1-6, Colorado Revised Statutes 1963, as Amended, Concerning Limitation of Actions Against Certain Licensed Health Care Institutions and Persons

Colorado General Assembly

Follow this and additional works at: <https://scholar.law.colorado.edu/session-laws-1951-2000>

Recommended Citation

Colorado General Assembly, "Amending Section 87-1-6, Colorado Revised Statutes 1963, as Amended, Concerning Limitation of Actions Against Certain Licensed Health Care Institutions and Persons" (1971). *Session Laws 1951-2000*. 5386.

<https://scholar.law.colorado.edu/session-laws-1951-2000/5386>

This Act is brought to you for free and open access by the Colorado Session Laws at Colorado Law Scholarly Commons. It has been accepted for inclusion in Session Laws 1951-2000 by an authorized administrator of Colorado Law Scholarly Commons. For more information, please contact rebecca.ciota@colorado.edu.

CHAPTER 232

LIMITATION OF ACTIONS

PERSONAL ACTIONS

House Bill No. 1272. By Representatives Munson, Shore, Koster, and Showalter; also Senators Calabrese and Shoemaker.

A N A C T

AMENDING SECTION 87-1-6, COLORADO REVISED STATUTES 1963, AS AMENDED, CONCERNING LIMITATION OF ACTIONS AGAINST CERTAIN LICENSED HEALTH CARE INSTITUTIONS AND PERSONS.

Be it enacted by the General Assembly of the State of Colorado:

Section 1. 87-1-6, Colorado Revised Statutes 1963 (1967 Supp.), is amended to read:

87-1-6. Actions barred in two years. No person shall be permitted to maintain an action, whether such action sound in tort or implied contract, to recover damages from a licensed OR CERTIFIED health establishment HOSPITAL, HEALTH CARE FACILITY, DISPENSARY, OR OTHER INSTITUTION FOR THE TREATMENT OR CARE OF THE SICK OR INJURED due to alleged negligence OR BREACH OF CONTRACT in providing care, or from any person licensed in this state or any other state to practice medicine, chiropractic, osteopathy, nursing, physical therapy, chiropody, veterinary medicine, midwifery, or dentistry, PHARMACY, OPTOMETRY, OR OTHER HEALING ARTS on account of the alleged negligence OR BREACH OF CONTRACT of such person in the practice of the profession for which he is licensed or on account of his failure to possess or exercise that degree of skill which he actually or impliedly represented, promised, or agreed that he did possess and would exercise, unless such action be instituted within two years after such cause of action accrued THE PERSON BRINGING THE ACTION EITHER DISCOVERED OR IN THE EXERCISE OF REASONABLE DILIGENCE AND CONCERN SHOULD HAVE DISCOVERED THE SERIOUSNESS AND CHARACTER OF HIS OR HER INJURIES AND THE NEGLIGENCE OR BREACH OF CONTRACT WHICH GAVE RISE TO SUCH ACTION. IN NO EVENT MAY SUCH ACTION BE INSTITUTED MORE THAN SIX YEARS AFTER THE ACT OR OMISSION WHICH GAVE RISE THERETO, EXCEPT WHERE THE ACTION AROSE OUT OF THE LEAVING OF AN UN-

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

AUTHORIZED FOREIGN OBJECT WITHIN THE BODY OF SUCH PERSON.

Section 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 22, 1971