



LEGISLATIVE INTENT SERVICE, INC.

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Evidence Code § 1157 – Compiled April, 2011

Our review of the annotated history of this statute reveals the following legislative history (every “c.” below represents a separate legislative bill):

Added: 1968, c. 1122

Amended: 1975, c. 674; 1978, c. 7; 1978, c. 503; 1982, c. 705; 1983, c. 289; 1983, c. 422; 1983, c. 1081; 1985, c. 725; 1990, c. 196; 1994, c. 815; and 2000, c. 136

As originally added in 1968, section 1157 read as follows:

1157. Neither the proceedings nor the records of organized committees of medical staffs in hospitals having the responsibility of evaluation and improvement of the quality of care rendered in the hospital or medical review committees of local medical societies shall be subject to discovery. Except as hereinafter provided, no person in attendance at a meeting of any such committee shall be required to testify as to what transpired thereat. The prohibition relating to discovery or testimony shall not apply to the statements made by any person in attendance at such a meeting who is a party to an action or proceeding the subject matter of which was reviewed at such meeting, or to any person requesting hospital staff privileges, or in any action against an insurance carrier alleging bad faith by the carrier in refusing to accept a settlement offer within the policy limits.

The prohibitions contained in this section shall not apply to medical society committees that exceed 10 percent of the membership of the society, nor to any such committee if any person serves upon the committee when his own conduct or practice is being reviewed.

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