

2017 -- S 1017

=====  
LC003010  
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

—————  
A N A C T

RELATING TO HEALTH AND SAFETY - THE HOSPITAL CONVERSIONS ACT

Introduced By: Senator Dominick J. Ruggerio

Date Introduced: September 19, 2017

Referred To: Senate Judiciary

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.

=====  
LC003010  
=====

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 the other joint tortfeasors unless the release  
4 so 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.

=====  
LC003010  
=====