

686B.3 Filing claims — establishment of prima facie case — individual actions to be filed.

1. A plaintiff in an asbestos action involving a nonmalignant condition or a silica action involving silicosis shall file with the complaint or other initial pleading a detailed narrative medical report and diagnosis, signed under oath by a qualified physician and accompanied by supporting test results, which constitute prima facie evidence that the exposed person meets the requirements of [this chapter](#). The report shall not be prepared by an attorney or person working for or on behalf of an attorney.

2. A plaintiff shall include with the detailed narrative medical report a sworn information form containing all of the following:

a. The name, address, date of birth, social security number, marital status, occupation, and employer of the exposed person, and any person through whom the exposed person alleges exposure.

b. The plaintiff's relationship to the exposed person or person through whom the exposure is alleged.

c. The specific location and manner of each alleged exposure, including the specific location and manner of exposure for any person through whom the exposed person alleges exposure.

d. The beginning and ending dates of each alleged exposure.

e. The identity of the manufacturer of the specific asbestos or silica product for each exposure.

f. The identity of the defendant or defendants against whom the plaintiff asserts a claim.

g. The specific asbestos-related or silica-related disease claimed to exist.

h. Any supporting documentation relating to the information required under this subsection.

3. For an asbestos action or silica action pending as of July 1, 2017, the detailed narrative medical report and supporting test results and sworn information form described in [subsections 1 and 2](#) shall be provided to all parties not later than ninety days after July 1, 2017, or not later than ninety days before trial, whichever is earlier.

4. A defendant shall be afforded a reasonable opportunity to challenge the adequacy of the prima facie evidence before trial.

5. The court shall dismiss the asbestos action or silica action without prejudice on finding that the plaintiff has failed to make the prima facie showing required by [this chapter](#) or failed to comply with the requirements of [this section](#).

6. An asbestos action or silica action must be individually filed and shall not be filed on behalf of a group or class of plaintiffs.

[2017 Acts, ch 11, §12](#)

NEW section