

## Medical Malpractice – Required Contents of Notice of Intent (NOI) and Response Table

An NOI is not required to be in any particular format. See *Roberts v Mecosta Hosp*, 470 Mich 679, 696 (2004). An NOI is insufficient unless it provides notice *and* a statement containing all the information required in [MCL 600.2912b\(4\)](#). See *Esselman v Garden City Hosp*, 284 Mich App 209, 220 (2009). A statement is satisfactory if it “reasonably communicate[s] to a medical professional or medical facility . . . the nature of the claim the plaintiff intends to pursue.” *Id.* See the Michigan Judicial Institute’s *Civil Proceedings Benchbook*, Chapter 9, for more information.

<p style="text-align: center;"><b>Required Contents of NOI</b> NOI must contain “at least all of the following:”</p>	<p style="text-align: center;"><b>Required Contents of Response to NOI</b></p>
<p style="text-align: center;">The factual basis for the claim. See <a href="#">MCL 600.2912b(4)(a)</a>.</p>	<p style="text-align: center;">The factual basis for the defense to the claim. See <a href="#">MCL 600.2912b(7)(a)</a>.</p>
<p style="text-align: center;">The alleged standard of practice or care. See <a href="#">MCL 600.2912b(4)(b)</a>.</p>	<p>The standard of practice or care that the health professional or health facility claims to be applicable to the action and that the health professional or health facility complied with that standard. See <a href="#">MCL 600.2912b(7)(b)</a>.</p>
<p>How the health professional or health facility breached the alleged standard of practice or care. See <a href="#">MCL 600.2912b(4)(c)</a>.</p>	<p>How the health professional or health facility complied with the applicable standard of practice or care. See <a href="#">MCL 600.2912b(7)(c)</a>.</p>
<p>What should have been done to comply with the alleged standard of practice or care. See <a href="#">MCL 600.2912b(4)(d)</a>.</p>	
<p>How a breach of the alleged standard of practice or care was the proximate cause of the claimant’s injuries. See <a href="#">MCL 600.2912b(4)(e)</a>.</p>	<p>How the health professional or health facility contends that the alleged negligence of the health professional or health facility was not the proximate cause of the claimant’s alleged injury or alleged damage. See <a href="#">MCL 600.2912b(7)(d)</a>.</p>
<p>The names of all the health professionals and health facilities the claimant is notifying relative to the claim. See <a href="#">MCL 600.2912b(4)(f)</a>.</p>	<p style="text-align: center;">(This cell intentionally left blank.)</p>

