

# 4 Things to Know About Oregon's Statute of Limitations

A Statute of Limitations is state law that applies a strict time limit on a patient or their family's right to file a lawsuit. [Oregon's Statute of Limitations](#) requires medical malpractice plaintiffs to abide by certain limitations when filing a claim the state's court system. Find out more below.

## → Oregon's Statute of Limitations for Medical Malpractice

A claim for an injury or illness due to medical malpractice must be filed within two years of when the injury was discovered. Wrongful death claims must be filed within three years after the injury that caused the death is discovered.

## → Medical Negligence & Physician Malpractice

Most [medical malpractice](#) lawsuits require proving a medical professional acted negligently or deviated from the standard of care. This can include a physician's failure to properly diagnose a patient, unreasonable delay in treatment, or improper treatment of a patient.

## → Exceptions to Oregon's Statute of Limitations

If the defendant used fraud or deceit in attempt to cover up medical malpractice, the five-year deadline will begin when the fraud or deceit is discovered. Additionally, if a patient is under the age of 18, or is experiencing a mental disability that prevents them from comprehending their rights at the time the malpractice occurred, the Statute of Limitations will pause for up to five years or for one year after the person turns 18 or the mental disability ends.

## → Missing the Statute of Limitations Deadline in Oregon

If a medical malpractice case is filed after the Statute of Limitations deadline, and the timeline is not extended due to one of the exceptions above, the court will almost certainly dismiss the case. Because of this, it's important to have a thorough understanding of Oregon's Statute of Limitations.



### Talk To An Expert

For more information about how Oregon's Statute of Limitations affects medical negligence cases, [contact an experienced malpractice attorney](#) at Miller & Wagner today.



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