



FEDERATION OF
STATE MEDICAL BOARDS

Expert Witness Qualifications for Medical Malpractice Cases
State-by-State Overview

- Twenty-seven (27) states require expert witnesses to be licensed, of which nineteen (19) allow witnesses to be licensed in any state.
- Twenty-two (22) states, as well as Guam, do not require expert witnesses to be licensed.
- One (1) state, as well as the District of Columbia, Puerto Rico, and the Virgin Islands, have no statutory requirements for expert witnesses.

SMB	State License Required?	Statute/Regulation Citation
AL	Yes ¹	Alabama Code § 6-5-548
AK	Yes	Alaska Stat. Ann § 09.20.185
AZ	Yes	Ariz. Rev. Stat. Ann. § 12-2604
AR	Yes	Arkansas Code Ann. § 16-114-207(1)
CA	No	California Evid. Code § 720; Cal. Health & Safety Code § 1799.110(c)
CO	Yes	Colorado Rev. Stat. Ann. § 13-64-401; § 13-20-602
CT	Yes	Connecticut Gen. Stat. Ann. § 52-184
DE	No	Delaware Code Ann. tit. 18, § 6853
DC	No ³	No specific statutory requirement; Motorola Inc. v. Murray, 147 A.3d 751, 752 (DC 2016)
FL	Yes	Florida Stat. Ann. § 766.102
GA	Yes* ²	Georgia Code Ann., § 24-7-702
GU	No	10 G.C.A. § 10118
HI	No	Hawaii Rev. Stat. § 626-1, Rule 702
ID	No	Idaho Code Ann. § 6-1012-13
IL	Yes	735 ILCS 5/8-2501
IN	No	Indiana Rules of Evidence, Rule 702
IA	Yes	Iowa Code Ann. § 147.139; Iowa. R. Evid. 5.702
KS	Yes	Kansas Stat. Ann. § 60-3412
KY	No	Ky. R. Evid. 702
LA	Yes	Louisiana Rev. Stat. Ann. § 9:2794
ME	No	Maine R. Evid. 702
MD	Yes	Maryland Code Ann., Cts. & Jud. Proc. § 3-2A-02; Maryland R. Evid. 5-702
MA	No	Massachusetts Gen. Laws 231 § 60B (Tribunal); Massachusetts R. Evid. 702

SMB	State License Required?	Statute/Regulation Citation
MI	Yes	Michigan Comp. Laws Ann. § 600.2169
MN	No	Minnesota R. Evid. 702
MS	Yes	Mississippi Code. Ann. § 11-1-61; Mississippi R. Evid. 702; Mississippi Admin. Code 30-17-2635:8.7
MO	No	Missouri Ann. Stat. § 490.065
MP	--	
MT	Yes	Montana Code Ann. § 26-2-601 ; Montana Code Ann. § 37-3-102
NC	Yes	North Carolina Gen. Stat. Ann. § 8C-1, Rule 702; North Carolina R. Evid. § 8C-1,8C-1702
ND	No	North Dakota R. Ev. 702
NE	No	Nebraska Rev. Stat. § 27-702
NH	No	New Hampshire Rev. Stat. § 507-C:3; New Hampshire R. Evid. 702
NJ	Yes	New Jersey Stat. Ann. § 2A:53A-41
NM	No	New Mexico R. Evid. 11-702; New Mexico Stat. Ann. § 41-5-23
NV	No	Nevada Rev. Stat. § 41A.100; Nevada Rev. Stat. § 50.275
NY	No	No specific statutory requirements
OH	Yes	Ohio Rev. Code Ann. § 2743.43; Ohio Rules of Evidence, Rule 702
OK	Yes	Oklahoma Stat. Ann. tit. 63, § 1-1708.1i; 12 Oklahoma Stat. Ann. § 2702
OR	No	Oregon Rev. Stat. Ann. § 40.410
PA	Yes	49 Pennsylvania Code § 16.52a; 40 Pennsylvania Stat. Ann. § 1303.512;
PR	--	No specific statutory requirements
RI	No	R.I. Gen. Laws Ann. § 9-19-41
SC	Yes ³	South Carolina Code Ann. § 15-36-100(G); South Carolina Code 1976 § 40-47-20
SD	No	South Dakota C. L. § 19-19-702.
TN	Yes ⁴	Tennessee Code Ann. § 29-26-115; Tennessee Rule of Evidence, Rule 702
TX	Yes	Texas Civ. Prac. & Rem. Code Ann. § 74.401-2-3
UT	Yes	Utah Code Ann. § 78B-3-423; Utah Rules of Evidence, Rule 702
VT	No	Vermont R. Evid. 702
VI	--	No specific statutory requirements
VA	Yes*	Virginia Code Ann. § 8.01-581.20
WA	No	Washington R. Evid. 702
WV	Yes	West Virginia Code Ann. § 55-7B-7
WI	No	Wisconsin Stat. Ann. § 907.02
WY	No	Wyoming R. Evid. 702

For informational purposes only: This document is not intended as a comprehensive statement of the law on this topic, nor to be relied upon as authoritative. Non-cited laws, regulation, and/or policy could impact analysis on a case-by-case or state-by-state basis. All information should be verified independently.

Questions, comments, or corrections? Please contact advocacy@fsmb.org.