

HR 5253

Medical Liability Insurance Crisis Response Act of 2002

Congress: 107 (2001–2003, Ended)

Chamber: House

Policy Area: Health

Introduced: Jul 26, 2002

Current Status: Referred to the Subcommittee on Employer-Employee Relations.

Latest Action: Referred to the Subcommittee on Employer-Employee Relations. (Nov 14, 2002)

Official Text: <https://www.congress.gov/bill/107th-congress/house-bill/5253>

Sponsor

Name: Rep. Sandlin, Max [D-TX-1]

Party: Democratic • **State:** TX • **Chamber:** House

Cosponsors (16 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Berkley, Shelley [D-NV-1]	D · NV		Jul 26, 2002
Rep. Doggett, Lloyd [D-TX-10]	D · TX		Jul 26, 2002
Rep. Gonzalez, Charles A. [D-TX-20]	D · TX		Jul 26, 2002
Rep. Holt, Rush [D-NJ-12]	D · NJ		Jul 26, 2002
Rep. Israel, Steve [D-NY-2]	D · NY		Jul 26, 2002
Rep. Johnson, Eddie Bernice [D-TX-30]	D · TX		Jul 26, 2002
Rep. Meeks, Gregory W. [D-NY-6]	D · NY		Jul 26, 2002
Rep. Pascrell, Bill, Jr. [D-NJ-8]	D · NJ		Jul 26, 2002
Rep. Reyes, Silvestre [D-TX-16]	D · TX		Jul 26, 2002
Rep. Ross, Mike [D-AR-4]	D · AR		Jul 26, 2002
Rep. Sanchez, Loretta [D-CA-46]	D · CA		Jul 26, 2002
Rep. Shows, Ronnie [D-MS-4]	D · MS		Jul 26, 2002
Rep. Solis, Hilda L. [D-CA-31]	D · CA		Jul 26, 2002
Rep. Brady, Robert A. [D-PA-1]	D · PA		Sep 10, 2002
Rep. Hinchey, Maurice D. [D-NY-26]	D · NY		Sep 24, 2002
Rep. Kanjorski, Paul E. [D-PA-11]	D · PA		Oct 1, 2002

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Referred to	Nov 14, 2002
Energy and Commerce Committee	House	Referred to	Jul 29, 2002
Judiciary Committee	House	Referred To	Jul 26, 2002
Ways and Means Committee	House	Referred To	Jul 26, 2002

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Summary (as of Jul 26, 2002)

Medical Liability Insurance Crisis Response Act of 2002 - Amends the McCarran-Ferguson Act (antitrust) to exempt from the antitrust laws joint conduct concerning data, forms, manuals and the provision of medical malpractice insurance pursuant to a public necessity market mechanism or the administration of such mechanism in a State.

Amends the Public Health Service Act, the Employee Retirement Income Security Act of 1974 (ERISA), and the Internal Revenue Code to provide for the prompt payment of claims.

Amends the Public Health Service Act to address the issue of the nursing shortage through the Nursing Workforce Development Student Loan Repayment program, the establishment of a National Nurse Corps Scholarship program, and other grant and scholarship programs to train and retain nurses.

Establishes an alternative dispute resolution system for medical malpractice cases which preempts other State and Federal law, excluding vaccine-related claims.

Mandates mediation before trial.

Requires certifications and affidavits by participating parties and attorneys that certain consultations and investigations have taken place and that their case is reasonable and meritorious. Imposes sanctions, including payment of attorney's fees and costs, for submitting false allegations.

Permits the periodic payment of awards over \$250,000.

Directs the Secretary of Health and Human Services to appoint an Advisory Commission on Medical Malpractice. Freezes medical malpractice insurance rates until after the Commission's report.

Addresses other medical malpractice insurance issues, including withdrawal from the market, guaranteed coverage and renewability, and disclosure.

Requires the Secretary to establish an interactive, secure Internet site to provide medical malpractice insurance quotes.

Amends the Liability Risk Retention Act of 1986 to mandate equal treatment between traditional insurers and risk retention groups.

Actions Timeline

- **Nov 14, 2002:** Referred to the Subcommittee on Employer-Employee Relations.
- **Jul 29, 2002:** Referred to the Subcommittee on Health, for a period to be subsequently determined by the Chairman.
- **Jul 26, 2002:** Introduced in House
- **Jul 26, 2002:** Introduced in House
- **Jul 26, 2002:** Referred to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
- **Jul 26, 2002:** Referred to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
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