

HR 1116

Medical Malpractice Insurance and Litigation Reform Act

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Health

Introduced: Mar 6, 2003

Current Status: Referred to the Subcommittee on Health, for a period to be subsequently determined by the Chairman.

Latest Action: Referred to the Subcommittee on Health, for a period to be subsequently determined by the Chairman.
(Mar 17, 2003)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/1116>

Sponsor

Name: Rep. Conyers, John, Jr. [D-MI-14]

Party: Democratic • State: MI • Chamber: House

Cosponsors (13 total)

Cosponsor	Party / State	Role	Date Joined
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Mar 6, 2003
Rep. Baird, Brian [D-WA-3]	D · WA		Mar 6, 2003
Rep. Berkley, Shelley [D-NV-1]	D · NV		Mar 6, 2003
Rep. Berman, Howard L. [D-CA-28]	D · CA		Mar 6, 2003
Rep. Delahunt, William D. [D-MA-10]	D · MA		Mar 6, 2003
Rep. Nadler, Jerrold [D-NY-8]	D · NY		Mar 6, 2003
Rep. Pascrell, Bill, Jr. [D-NJ-8]	D · NJ		Mar 6, 2003
Rep. Wexler, Robert [D-FL-19]	D · FL		Mar 6, 2003
Rep. Meehan, Martin T. [D-MA-5]	D · MA		Mar 11, 2003
Rep. Owens, Major R. [D-NY-11]	D · NY		Mar 11, 2003
Rep. Sánchez, Linda T. [D-CA-39]	D · CA		Mar 11, 2003
Rep. Davis, Artur [D-AL-7]	D · AL		Mar 12, 2003
Rep. McCollum, Betty [D-MN-4]	D · MN		Nov 4, 2003

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Mar 17, 2003
Judiciary Committee	House	Referred To	Mar 6, 2003

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Summary (as of Mar 6, 2003)

Medical Malpractice Insurance and Litigation Reform Act - Declares that nothing in the McCarran-Ferguson Act shall be construed to permit commercial insurers to engage in price fixing, bid rigging, or market allocations while providing medical malpractice insurance, except that this section shall not apply to a State regulatory body with the authority to set insurance rates.

Directs each State to allow any State-licensed health care professional to challenge a proposed rate increase in medical malpractice insurance. Requires a provider to justify any such rate increase to the State.

Establishes the Federal Medical Malpractice Insurance Association in the Department of Health and Human Services, to provide malpractice insurance in States where it is not available at reasonable and customary terms.

Prohibits any individual from bringing a medical malpractice liability action unless it is accompanied by the affidavit of a qualified specialist attesting to the reasonableness of the filing. Requires the attorney of a person filing such an action, or the individual if there is no attorney, to sign a certificate of merit attesting to the justified nature of the action.

Directs courts to impose sanctions for violations of the provisions pertaining to the certificate of merit, including to issue fines for multiple offenders.

Requires mediation, to be made available by the State, before a trial for any medical malpractice liability action.

Applies this Act to medical malpractice liability actions in State or Federal courts except to any claim or action for damages from a vaccine-related injury or death to the extent that the Public Health Service Act applies to such actions. Preempts State law.

Actions Timeline

- **Mar 17, 2003:** Referred to the Subcommittee on Health, for a period to be subsequently determined by the Chairman.
- **Mar 6, 2003:** Introduced in House
- **Mar 6, 2003:** Introduced in House
- **Mar 6, 2003:** Sponsor introductory remarks on measure. (CR E392-393)
- **Mar 6, 2003:** Referred to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, 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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