

S 1374

Better HEALTH Act of 2003

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Health

Introduced: Jul 8, 2003

Current Status: Read twice and referred to the Committee on Finance.

Latest Action: Read twice and referred to the Committee on Finance. (Jul 8, 2003)

Official Text: <https://www.congress.gov/bill/108th-congress/senate-bill/1374>

Sponsor

Name: Sen. Durbin, Richard J. [D-IL]

Party: Democratic • **State:** IL • **Chamber:** Senate

Cosponsors (11 total)

| Cosponsor | Party / State | Role | Date Joined |
|--------------------------------------|---------------|------|--------------|
| Sen. Graham, Lindsey [R-SC] | R · SC | | Jul 8, 2003 |
| Sen. Dorgan, Byron L. [D-ND] | D · ND | | Jul 9, 2003 |
| Sen. Edwards, John [D-NC] | D · NC | | Jul 9, 2003 |
| Sen. Johnson, Tim [D-SD] | D · SD | | Jul 9, 2003 |
| Sen. Landrieu, Mary L. [D-LA] | D · LA | | Jul 9, 2003 |
| Sen. Murray, Patty [D-WA] | D · WA | | Jul 9, 2003 |
| Sen. Pryor, Mark L. [D-AR] | D · AR | | Jul 9, 2003 |
| Sen. Rockefeller, John D., IV [D-WV] | D · WV | | Jul 9, 2003 |
| Sen. Stabenow, Debbie [D-MI] | D · MI | | Jul 25, 2003 |
| Sen. Cantwell, Maria [D-WA] | D · WA | | Feb 24, 2004 |
| Sen. Mikulski, Barbara A. [D-MD] | D · MD | | Apr 7, 2004 |

Committee Activity

| Committee | Chamber | Activity | Date |
|-------------------|---------|-------------|-------------|
| Finance Committee | Senate | Referred To | Jul 8, 2003 |

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Better HEALTH Act of 2003 - Amends the Public Health Service Act to allow the Secretary of Health and Human Services, through the Administrator of the Health Resources and Services Administration, to award grants or contracts for geographic areas that have a shortage of health care professionals due to the costs of medical malpractice insurance.

Amends the Internal Revenue Code to provide a business tax credit for medical professional malpractice insurance according to a specified schedule.

Directs the Secretary of Health and Human Services, through the Health Resources and Services Administration, to make grants to eligible nonprofit hospitals and clinics to pay 15 percent of qualified medical malpractice insurance costs.

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.

Medical Malpractice Insurance Antitrust Act of 2003 - Declares that nothing in the McCarran-Ferguson Act shall be construed to permit commercial insurers to engage in any form of price fixing, bid rigging, or market allocations in connection with the conduct of the business of providing medical malpractice insurance.

Establishes an Independent Advisory Commission on Medical Malpractice Insurance.

Patient Safety Improvement and Medical Injury Reduction Act - Amends the Public Health Service Act to set forth that, with certain exceptions, patient safety information shall be privileged and confidential and not subject to specified disclosures. Allows health care professionals to waive such privileges. Declares that it is unlawful for any person to disclose patient safety information in violation of this Act (with specified exceptions).

Grants protection against adverse employment actions to individuals who report certain types of information to providers or patient safety organizations.

Requires the Director of the Agency for Healthcare Research and Quality to establish: (1) a Center for Quality Improvement and Patient Safety; (2) a National Patient Safety Database; and (3) a National Patient Safety Research Demonstration System.

Directs the Secretary of Health and Human Services to award grants to eligible entities to promote community partnerships for health care improvement among health care professionals, with the aim of improving the quality of medical care in communities.

Directs the Secretary to appoint a Medical Information Technology Advisory Board.

Allows the Secretary to make grants for: (1) computerized physician order entry systems; (2) informatics systems; and (3) patient safety research.

Amends provisions of the Federal Food, Drug, and Cosmetic Act to classify drugs and biological devices as misbranded

unless they include a unique product identifier. Directs the Secretary to issue and periodically revise regulations to require the manufacturer of such a product, or its packager or labeler, to include such information on the packaging.

Actions Timeline

- **Jul 8, 2003:** Introduced in Senate
- **Jul 8, 2003:** Read twice and referred to the Committee on Finance.