

HR 321

Common Sense Medical Malpractice Reform Act of 2003

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Health

Introduced: Jan 8, 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.
(Feb 14, 2003)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/321>

Sponsor

Name: Rep. Toomey, Patrick J. [R-PA-15]

Party: Republican • **State:** PA • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Feb 14, 2003
Judiciary Committee	House	Referred To	Jan 8, 2003

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Summary (as of Jan 8, 2003)

Common Sense Medical Malpractice Reform Act of 2003 - Establishes an alternative dispute resolution (ADR) procedure for all health care liability actions, except an action for damages arising from a vaccine-related injury or death to the extent that title XXI of the Public Health Service Act applies.

(Sec. 3) Establishes a statute of limitations for health care liability actions of one year from the date on which the alleged injury was discovered or should reasonably have been discovered, but in no case more than three years after the date the alleged injury occurred.

(Sec. 4) Makes a defendant in any health care liability action liable only for the amount of noneconomic damages attributable to such defendant. Limits total noneconomic damages for an injury to \$250,000.

Outlines requirements for, and limitations on, the award of punitive damages. Permits periodic payments of any damages awarded for future economic and noneconomic loss exceeding \$50,000.

Permits defendants to introduce evidence of collateral source payments.

(Sec. 5) Specifies limits to contingent fees.

(Sec. 6) Declares that any ADR used to resolve a health care liability action or claim shall contain provisions for a statute of limitations, noneconomic damages, joint and several liability, punitive damages, a collateral source rule, periodic payments, and limitations on contingent fees which are identical to the provisions of this Act.

Actions Timeline

- **Feb 14, 2003:** Referred to the Subcommittee on Health, for a period to be subsequently determined by the Chairman.
- **Jan 8, 2003:** Introduced in House
- **Jan 8, 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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