

HR 5

Help Efficient, Accessible, Low-cost, Timely Healthcare (HEALTH) Act of 2003

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Health

Introduced: Feb 5, 2003

Current Status: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 49.

Latest Action: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 49.
(Mar 21, 2003)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/5>

Sponsor

Name: Rep. Greenwood, James C. [R-PA-8]

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

Cosponsors (128 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Barton, Joe [R-TX-6]	R · TX		Feb 5, 2003
Rep. Biggert, Judy [R-IL-13]	R · IL		Feb 5, 2003
Rep. Boehlert, Sherwood [R-NY-24]	R · NY		Feb 5, 2003
Rep. Brown-Waite, Ginny [R-FL-5]	R · FL		Feb 5, 2003
Rep. Cannon, Chris [R-UT-3]	R · UT		Feb 5, 2003
Rep. Capito, Shelley Moore [R-WV-2]	R · WV		Feb 5, 2003
Rep. Collins, Mac [R-GA-8]	R · GA		Feb 5, 2003
Rep. Cox, Christopher [R-CA-48]	R · CA		Feb 5, 2003
Rep. Crane, Philip M. [R-IL-8]	R · IL		Feb 5, 2003
Rep. Crenshaw, Ander [R-FL-4]	R · FL		Feb 5, 2003
Rep. Davis, Tom [R-VA-11]	R · VA		Feb 5, 2003
Rep. Dunn, Jennifer [R-WA-8]	R · WA		Feb 5, 2003
Rep. Feeney, Tom [R-FL-24]	R · FL		Feb 5, 2003
Rep. Ferguson, Mike [R-NJ-7]	R · NJ		Feb 5, 2003
Rep. Fletcher, Ernie [R-KY-6]	R · KY		Feb 5, 2003
Rep. Forbes, J. Randy [R-VA-4]	R · VA		Feb 5, 2003
Rep. Frelinghuysen, Rodney P. [R-NJ-11]	R · NJ		Feb 5, 2003
Rep. Gerlach, Jim [R-PA-6]	R · PA		Feb 5, 2003
Rep. Gilchrest, Wayne T. [R-MD-1]	R · MD		Feb 5, 2003
Rep. Gillmor, Paul E. [R-OH-5]	R · OH		Feb 5, 2003
Rep. Goode, Virgil H., Jr. [R-VA-5]	R · VA		Feb 5, 2003
Rep. Granger, Kay [R-TX-12]	R · TX		Feb 5, 2003
Rep. Graves, Sam [R-MO-6]	R · MO		Feb 5, 2003
Rep. Hart, Melissa A. [R-PA-4]	R · PA		Feb 5, 2003
Rep. Hayes, Robin [R-NC-8]	R · NC		Feb 5, 2003
Rep. Hayworth, J. D. [R-AZ-5]	R · AZ		Feb 5, 2003
Rep. Hobson, David L. [R-OH-7]	R · OH		Feb 5, 2003
Rep. Houghton, Amo [R-NY-29]	R · NY		Feb 5, 2003
Rep. Hulshof, Kenny C. [R-MO-9]	R · MO		Feb 5, 2003
Rep. Johnson, Nancy L. [R-CT-5]	R · CT		Feb 5, 2003
Rep. Keller, Ric [R-FL-8]	R · FL		Feb 5, 2003
Rep. Kirk, Mark Steven [R-IL-10]	R · IL		Feb 5, 2003
Rep. Knollenberg, Joe [R-MI-9]	R · MI		Feb 5, 2003
Rep. LaTourette, Steven C. [R-OH-14]	R · OH		Feb 5, 2003
Rep. Leach, James A. [R-IA-2]	R · IA		Feb 5, 2003
Rep. Lewis, Ron [R-KY-2]	R · KY		Feb 5, 2003
Rep. LoBiondo, Frank A. [R-NJ-2]	R · NJ		Feb 5, 2003
Rep. Lucas, Ken [D-KY-4]	D · KY		Feb 5, 2003
Rep. McHugh, John M. [R-NY-23]	R · NY		Feb 5, 2003
Rep. McKeon, Howard P. "Buck" [R-CA-25]	R · CA		Feb 5, 2003
Rep. Murphy, Tim [R-PA-18]	R · PA		Feb 5, 2003

Cosponsor	Party / State	Role	Date Joined
Rep. Murtha, John P. [D-PA-12]	D · PA		Feb 5, 2003
Rep. Northup, Anne M. [R-KY-3]	R · KY		Feb 5, 2003
Rep. Nussle, Jim [R-IA-1]	R · IA		Feb 5, 2003
Rep. Otter, C. L. (Butch) [R-ID-1]	R · ID		Feb 5, 2003
Rep. Peterson, Collin C. [D-MN-7]	D · MN		Feb 5, 2003
Rep. Peterson, John E. [R-PA-5]	R · PA		Feb 5, 2003
Rep. Platts, Todd Russell [R-PA-19]	R · PA		Feb 5, 2003
Rep. Portman, Rob [R-OH-2]	R · OH		Feb 5, 2003
Rep. Putnam, Adam H. [R-FL-12]	R · FL		Feb 5, 2003
Rep. Regula, Ralph [R-OH-16]	R · OH		Feb 5, 2003
Rep. Rogers, Mike J. [R-MI-8]	R · MI		Feb 5, 2003
Rep. Sensenbrenner, F. James, Jr. [R-WI-5]	R · WI		Feb 5, 2003
Rep. Sessions, Pete [R-TX-32]	R · TX		Feb 5, 2003
Rep. Shaw, E. Clay, Jr. [R-FL-22]	R · FL		Feb 5, 2003
Rep. Shays, Christopher [R-CT-4]	R · CT		Feb 5, 2003
Rep. Shuster, Bill [R-PA-9]	R · PA		Feb 5, 2003
Rep. Souder, Mark E. [R-IN-3]	R · IN		Feb 5, 2003
Rep. Stearns, Cliff [R-FL-6]	R · FL		Feb 5, 2003
Rep. Stenholm, Charles W. [D-TX-17]	D · TX		Feb 5, 2003
Rep. Sullivan, John [R-OK-1]	R · OK		Feb 5, 2003
Rep. Tauzin, W. J. (Billy) [R-LA-3]	R · LA		Feb 5, 2003
Rep. Taylor, Gene [D-MS-4]	D · MS		Feb 5, 2003
Rep. Thomas, William M. [R-CA-22]	R · CA		Feb 5, 2003
Rep. Tiahrt, Todd [R-KS-4]	R · KS		Feb 5, 2003
Rep. Tiberi, Patrick J. [R-OH-12]	R · OH		Feb 5, 2003
Rep. Walsh, James T. [R-NY-25]	R · NY		Feb 5, 2003
Rep. Weldon, Dave [R-FL-15]	R · FL		Feb 5, 2003
Del. Bordallo, Madeleine Z. [D-GU-At Large]	D · GU		Feb 11, 2003
Rep. Burgess, Michael C. [R-TX-26]	R · TX		Feb 11, 2003
Rep. Chabot, Steve [R-OH-1]	R · OH		Feb 11, 2003
Rep. Davis, Jo Ann [R-VA-1]	R · VA		Feb 11, 2003
Rep. Emerson, Jo Ann [R-MO-8]	R · MO		Feb 11, 2003
Rep. Everett, Terry [R-AL-2]	R · AL		Feb 11, 2003
Rep. Gingrey, Phil [R-GA-11]	R · GA		Feb 11, 2003
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Feb 11, 2003
Rep. Kelly, Sue W. [R-NY-19]	R · NY		Feb 11, 2003
Rep. McInnis, Scott [R-CO-3]	R · CO		Feb 11, 2003
Rep. Mica, John L. [R-FL-7]	R · FL		Feb 11, 2003
Rep. Pence, Mike [R-IN-6]	R · IN		Feb 11, 2003
Rep. Pickering, Charles W. "Chip" [R-MS-3]	R · MS		Feb 11, 2003
Rep. Rogers, Mike D. [R-AL-3]	R · AL		Feb 11, 2003
Rep. Smith, Lamar [R-TX-21]	R · TX		Feb 11, 2003

Cosponsor	Party / State	Role	Date Joined
Rep. Toomey, Patrick J. [R-PA-15]	R · PA		Feb 11, 2003
Rep. Burr, Richard [R-NC-5]	R · NC		Feb 13, 2003
Rep. Cantor, Eric [R-VA-7]	R · VA		Feb 13, 2003
Rep. Cunningham, Randy (Duke) [R-CA-50]	R · CA		Feb 13, 2003
Rep. Dreier, David [R-CA-26]	R · CA		Feb 13, 2003
Rep. Cole, Tom [R-OK-4]	R · OK		Feb 25, 2003
Rep. Fossella, Vito [R-NY-13]	R · NY		Feb 25, 2003
Rep. Gallegly, Elton [R-CA-24]	R · CA		Feb 25, 2003
Rep. Kennedy, Mark R. [R-MN-6]	R · MN		Feb 25, 2003
Rep. Kingston, Jack [R-GA-1]	R · GA		Feb 25, 2003
Rep. Miller, Gary G. [R-CA-42]	R · CA		Feb 25, 2003
Rep. Myrick, Sue Wilkins [R-NC-9]	R · NC		Feb 25, 2003
Rep. Ney, Robert W. [R-OH-18]	R · OH		Feb 25, 2003
Rep. Pitts, Joseph R. [R-PA-16]	R · PA		Feb 25, 2003
Rep. Radanovich, George [R-CA-19]	R · CA		Feb 25, 2003
Rep. Thornberry, Mac [R-TX-13]	R · TX		Feb 25, 2003
Rep. Wamp, Zach [R-TN-3]	R · TN		Feb 25, 2003
Rep. Weller, Jerry [R-IL-11]	R · IL		Feb 25, 2003
Rep. Whitfield, Ed [R-KY-1]	R · KY		Feb 25, 2003
Rep. Wolf, Frank R. [R-VA-10]	R · VA		Feb 25, 2003
Rep. Beauprez, Bob [R-CO-7]	R · CO		Feb 26, 2003
Rep. Bono, Mary [R-CA-45]	R · CA		Feb 26, 2003
Rep. Cubin, Barbara [R-WY-At Large]	R · WY		Feb 26, 2003
Rep. Issa, Darrell E. [R-CA-49]	R · CA		Feb 26, 2003
Rep. Saxton, Jim [R-NJ-3]	R · NJ		Feb 26, 2003
Rep. Aderholt, Robert B. [R-AL-4]	R · AL		Mar 4, 2003
Rep. Bass, Charles F. [R-NH-2]	R · NH		Mar 4, 2003
Rep. Blunt, Roy [R-MO-7]	R · MO		Mar 4, 2003
Rep. Brady, Kevin [R-TX-8]	R · TX		Mar 4, 2003
Rep. Hensarling, Jeb [R-TX-5]	R · TX		Mar 4, 2003
Rep. King, Steve [R-IA-5]	R · IA		Mar 4, 2003
Rep. Lucas, Frank D. [R-OK-3]	R · OK		Mar 4, 2003
Rep. Musgrave, Marilyn N. [R-CO-4]	R · CO		Mar 4, 2003
Rep. Barrett, J. Gresham [R-SC-3]	R · SC		Mar 5, 2003
Rep. Boozman, John [R-AR-3]	R · AR		Mar 5, 2003
Rep. Combest, Larry [R-TX-19]	R · TX		Mar 5, 2003
Rep. Hastings, Doc [R-WA-4]	R · WA		Mar 5, 2003
Rep. Brown, Henry E., Jr. [R-SC-1]	R · SC		Mar 6, 2003
Rep. Holden, Tim [D-PA-17]	D · PA		Mar 6, 2003
Rep. Bradley, Jeb [R-NH-1]	R · NH		Mar 11, 2003
Rep. DeMint, Jim [R-SC-4]	R · SC		Mar 11, 2003
Rep. LaHood, Ray [R-IL-18]	R · IL		Mar 11, 2003

Cosponsor	Party / State	Role	Date Joined
Rep. Manzullo, Donald A. [R-IL-16]	R · IL		Mar 11, 2003
Rep. Simpson, Michael K. [R-ID-2]	R · ID		Mar 11, 2003
Rep. Sweeney, John E. [R-NY-20]	R · NY		Mar 11, 2003

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Feb 14, 2003
Energy and Commerce Committee	House	Reported by	Mar 4, 2003
Judiciary Committee	House	Reported By	Mar 11, 2003

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
108 HR 4280	Related bill	May 13, 2004: Pursuant to the provisions of H. Res. 638, H.R. 4280 is laid on the table.
108 HRES 139	Procedurally related	Mar 13, 2003: Motion to reconsider laid on the table Agreed to without objection.
108 S 607	Companion bill	Mar 13, 2003: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 33.

(This measure has not been amended since it was reported to the House on March 11, 2003. The summary of that version (Part I) is repeated here.)

Help Efficient, Accessible, Low Cost, Timely Healthcare (HEALTH) Act of 2003 - (Sec. 3) Makes changes to the health care liability system, including compensation for injured patients and other issues arising out of health care lawsuits.

Requires a suit to be brought within three years of the date of injury or one year after the claimant discovers or should have discovered the injury, whichever occurs first. Specifies exceptions when a suit may be brought later than three years after the date of injury. Sets forth rules for actions by minors.

(Sec. 4) Sets forth requirements and permissible recovery amounts for compensating patient injury, including: (1) the full amount of economic loss without limitation; (2) noneconomic damages as specified; and (3) a fair share rule.

(Sec. 5) Requires the court to supervise payment-of-damage arrangements, limiting contingency fees.

(Sec. 6) Permits the introduction of evidence of collateral source benefits, except that this section shall not apply to provisions of the Social Security Act pertaining to State plans for medical assistance and Medicare as secondary payer.

(Sec. 7) Limits the availability of punitive damages, requiring clear and convincing evidence of malicious intent to injure or a deliberate failure to avoid substantially certain, unnecessary injury. Prohibits punitive damages from being awarded where no judgment for compensatory damages is rendered. Prohibits their award for products that comply with Food and Drug Administration (FDA) standards, except if the manufacturer or distributor of a particular medical product or the supplier of a component or raw material of such a product causes harm by failing to comply with a specific requirement of the Federal Food, Drug and Cosmetic Act.

Declares that in cases involving alleged harm due to packaging or labeling of a drug required to have tamper resistant packaging, the manufacturer or product seller shall not be held liable for punitive damages unless the trier of fact finds evidence that the labeling or packaging is out of compliance with FDA regulations.

Allows punitive damages in cases where a person: (1) withholds from the FDA information pertaining to the alleged harm suffered; or (2) made an illegal payment to an FDA official to secure or maintain approval or clearance of a product.

(Sec. 8) Authorizes periodic payment of future damages to claimants.

(Sec. 10) Excludes suits for vaccine-related death or injury from the requirements of this Act if otherwise covered under the National Vaccine Injury Compensation Program.

(Sec. 11) Preempts a specified section of Federal law governing health care lawsuits to the extent that such section differs from this Act in certain ways, including if it provides for a greater amount of damages or contingent fees or a longer period in which a health care lawsuit may be commenced. Preempts State law unless such law imposes greater protections for health care providers and organizations from liability, loss, or damages.

(Sec. 13) Expresses the sense of Congress that a health insurer should be liable for damages for harm caused when it makes a decision as to what care is medically necessary and appropriate.

Actions Timeline

- **Mar 21, 2003:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 49.
- **Mar 20, 2003:** Read the first time. Placed on Senate Legislative Calendar under Read the First Time.
- **Mar 13, 2003:** Rule H. Res. 139 passed House.
- **Mar 13, 2003:** Considered under the provisions of rule H. Res. 139. (consideration: CR H1817-1871, H1879-1880; text of measure as reported in House: CR H1829-1832)
- **Mar 13, 2003:** Rule provides for consideration of H.R. 5 with 2 hours of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Provides for 80 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary and 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce. The rule waives all points of order against consideration of the bill. Measure will be considered read. The rule provides that in lieu of the amendments recommended by the Committees on the Judiciary and on Energy and Commerce now printed in the bill, the amendment in the nature of a substitute printed in the Rules Committee report (H. Rept. 108-34) shall be considered as adopted. The rule provides that H.Res. 126 is laid on...
- **Mar 13, 2003:** DEBATE - The House proceeded with two hours of debate on H.R. 5.
- **Mar 13, 2003:** The previous question was ordered pursuant to the rule.
- **Mar 13, 2003:** Mr. Conyers moved to recommit with instructions to Judiciary and Energy and Commerce. (consideration: CR H1866-1871; text: CR H1866-1869)
- **Mar 13, 2003:** DEBATE - The House proceeded with 10 minutes of debate on the Conyers motion to recommit with instructions. The instructions contained in the motion seek to require that the bill be reported back to the House forthwith with an amendment in the nature of a substitute entitled "Medical Malpractice and Insurance Reform Act of 2003".
- **Mar 13, 2003:** The previous question on the motion to recommit with instructions was ordered without objection.
- **Mar 13, 2003:** On motion to recommit with instructions Failed by the Yeas and Nays: 191 - 234 (Roll no. 63).
- **Mar 13, 2003:** Passed/agreed to in House: On passage Passed by recorded vote: 229 - 196, 1 Present (Roll No. 64).(text: CR H1832-1834)
- **Mar 13, 2003:** On passage Passed by recorded vote: 229 - 196, 1 Present (Roll No. 64). (text: CR H1832-1834)
- **Mar 13, 2003:** Motion to reconsider laid on the table Agreed to without objection.
- **Mar 13, 2003:** Received in the Senate.
- **Mar 12, 2003:** Rules Committee Resolution H. Res. 139 Reported to House. Rule provides for consideration of H.R. 5 with 2 hours of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Provides for 80 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary and 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce. The rule waives all points of order against consideration of the bill. Measure will be considered read. The rule provides that in lieu of the amendments recommended by the Committees on the Judiciary and on Energy and Commerce now printed in the bill, the amendment in the nature of a substitute printed in the Rules Committee report (H. Rept. 108-34) shall be considered as adopted. The rule provides that H.Res. 126 is laid on...
- **Mar 11, 2003:** Reported (Amended) by the Committee on Judiciary. H. Rept. 108-32, Part I.
- **Mar 11, 2003:** Reported (Amended) by the Committee on Judiciary. H. Rept. 108-32, Part I.
- **Mar 11, 2003:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 108-32, Part II.
- **Mar 11, 2003:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 108-32, Part II.
- **Mar 11, 2003:** Placed on the Union Calendar, Calendar No. 20.
- **Mar 6, 2003:** Committee Consideration and Mark-up Session Held.
- **Mar 6, 2003:** Ordered to be Reported (Amended) by Voice Vote.
- **Mar 5, 2003:** Committee Consideration and Mark-up Session Held.
- **Mar 5, 2003:** Ordered to be Reported (Amended) by the Yeas and Nays: 15 - 13.
- **Mar 4, 2003:** Committee Hearings Held.
- **Mar 4, 2003:** Referred to the Subcommittee on Commerce, Trade and Consumer Protection.
- **Mar 4, 2003:** Subcommittee Consideration and Mark-up Session Held.
- **Mar 4, 2003:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote.
- **Feb 14, 2003:** Referred to the Subcommittee on Health, for a period to be subsequently determined by the Chairman.

Feb 5, 2003: Introduced in House

- **Feb 5, 2003:** Introduced in House
- **Feb 5, 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.
- **Feb 5, 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.
- **Feb 5, 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.