

HR 3359

Medical Malpractice and Insurance Reform Act of 2005

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Health

Introduced: Jul 20, 2005

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.
(Jul 29, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/3359>

Sponsor

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

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

Cosponsors (6 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Dingell, John D. [D-MI-15]	D · MI		Jul 20, 2005
Rep. Case, Ed [D-HI-2]	D · HI		Jul 27, 2005
Rep. DeGette, Diana [D-CO-1]	D · CO		Jul 27, 2005
Rep. Nadler, Jerrold [D-NY-8]	D · NY		Jul 27, 2005
Rep. McHugh, John M. [R-NY-23]	R · NY		Sep 27, 2005
Rep. Visclosky, Peter J. [D-IN-1]	D · IN		Sep 28, 2005

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Jul 29, 2005
Judiciary Committee	House	Referred To	Jul 20, 2005

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Medical Malpractice and Insurance Reform Act of 2005 - Sets forth provisions regulating medical malpractice lawsuits and insurance.

Sets the statute of limitation at three years.

Requires a complaint to include: (1) an affidavit from a qualified specialist of the reasonableness and merit of the action; and (2) a certificate of merit from the attorney or party attesting to the reasonableness of the action.

Requires mediation that is provided by the state before a trial.

Prohibits punitive damages awards except upon proof of gross negligence, reckless indifference to life, or intentional acts. Diverts 50 percent of such awards to the Secretary of Health and Human Services for patient safety activities.

Requires each medical malpractice liability insurance company to reduce physicians' premiums with financial savings from this Act.

Declares that the McCarran-Ferguson Act does not permit commercial insurers to engage in any form of price fixing, bid rigging, or market allocations in providing medical malpractice insurance.

Requires the Secretary to establish an Internet site to allow health care providers to obtain quotes from licensed insurers.

Requires states to have a policy that: (1) gives licensed health care professionals standing to challenge proposed medical malpractice rate insurance increases; and (2) prohibits insurers from increasing rates without substantial justification.

Amends the Public Health Service Act to permit the Secretary, acting through the Administrator of the Health Resources and Services Administration (HRSA), to award grants or contracts to geographic areas that have health care provider shortages due to the cost of maintaining malpractice insurance.

Establishes: (1) the Independent Advisory Commission on Medical Malpractice Insurance to evaluate recent dramatic increases in medical malpractice insurance premiums and to make recommendations to avoid future dramatic increases; and (2) the Medical Malpractice Insurance Information Administration, which shall identify data necessary to evaluate the medical malpractice insurance market.

Actions Timeline

- **Jul 29, 2005:** Referred to the Subcommittee on Health, for a period to be subsequently determined by the Chairman.
- **Jul 20, 2005:** Introduced in House
- **Jul 20, 2005:** Introduced in House
- **Jul 20, 2005:** Sponsor introductory remarks on measure. (CR E1540-1541)
- **Jul 20, 2005:** 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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