

HR 4838

Medical Malpractice Reform Act of 2006

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Health

Introduced: Mar 1, 2006

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, 2006)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/4838>

Sponsor

Name: Rep. Shaw, E. Clay, Jr. [R-FL-22]

Party: Republican • State: FL • Chamber: House

Cosponsors (9 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Keller, Ric [R-FL-8]	R · FL		Mar 15, 2006
Rep. Miller, Jeff [R-FL-1]	R · FL		Mar 15, 2006
Rep. Feeney, Tom [R-FL-24]	R · FL		Apr 25, 2006
Rep. Mica, John L. [R-FL-7]	R · FL		May 25, 2006
Rep. Weldon, Dave [R-FL-15]	R · FL		Jun 16, 2006
Rep. Bilirakis, Michael [R-FL-9]	R · FL		Jun 29, 2006
Rep. Stearns, Cliff [R-FL-6]	R · FL		Jul 19, 2006
Rep. Foley, Mark [R-FL-16]	R · FL		Sep 6, 2006
Rep. Putnam, Adam H. [R-FL-12]	R · FL		Sep 6, 2006

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Mar 17, 2006
Judiciary Committee	House	Referred To	Mar 1, 2006

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
109 HR 5	Related bill	Jul 29, 2005: Received in the Senate and Read twice and referred to the Committee on the Judiciary.
109 HR 534	Related bill	Feb 25, 2005: Referred to the Subcommittee on Health, for a period to be subsequently determined by the Chairman.

Medical Malpractice Reform Act of 2006 -Sets forth provisions regulating lawsuits for health care liability claims concerning the provision of health care goods or services or any medical product affecting interstate commerce.

Sets a statute of limitations of three years after the date of manifestation of injury or one year after the claimant discovers the injury, with certain exceptions.

Provides that nothing in this Act limits recovery of the full amount of available economic damages. Limits noneconomic damages to \$250,000. Makes each party liable only for the amount of damages directly proportional to such party's percentage of responsibility.

Allows the court to restrict the payment of attorney contingency fees. Limits the fees to a decreasing percentage based on the increasing value of the amount awarded.

Prescribes qualifications for expert witnesses.

Allows the introduction of collateral source benefits and the amount paid to secure such benefits as evidence. Prohibits a provider of such benefits from recovering any amount from an award in a health care lawsuit involving injury or wrongful death.

Authorizes the award of punitive damages only where: (1) it is proven by clear and convincing evidence that a person acted with malicious intent to injure the claimant or deliberately failed to avoid unnecessary injury the claimant was substantially certain to suffer; and (2) compensatory damages are awarded. Limits punitive damages to the greater of two times the amount of economic damages or \$250,000.

Limits the liability of manufacturers, distributors, suppliers, and providers of medical products that comply with Food and Drug Administration (FDA) standards.

Provides for periodic payments of future damage awards.

Actions Timeline

- **Mar 17, 2006:** Referred to the Subcommittee on Health, for a period to be subsequently determined by the Chairman.
- **Mar 1, 2006:** Introduced in House
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- **Mar 1, 2006:** 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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