

## HR 6246

Physicians and Taxpayers Protection from Frivolous Litigation Act of 2006

**Congress:** 109 (2005–2007, Ended)

**Chamber:** House

**Policy Area:** Law

**Introduced:** Sep 28, 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 .  
(Oct 2, 2006)

**Official Text:** <https://www.congress.gov/bill/109th-congress/house-bill/6246>

### Sponsor

**Name:** Rep. Paul, Ron [R-TX-14]

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

### Cosponsors

*No cosponsors are listed for this bill.*

### Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Oct 2, 2006
Judiciary Committee	House	Referred To	Sep 28, 2006

### Subjects & Policy Tags

**Policy Area:**

Law

### Related Bills

*No related bills are listed.*

Physicians and Taxpayers Protection from Frivolous Litigation Act of 2006 - Sets forth provisions regulating federal lawsuits for health care liability claims or actions concerning the provision of health care services or medical products pursuant to any federal program.

Allows any such health care lawsuit brought in a state court to be removed to a federal court. Gives the U.S. district court jurisdiction over any health care lawsuit.

Requires the court to impose sanctions for the filing of frivolous lawsuits.

Sets a statute of limitations for commencing such a health care lawsuit in federal court 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 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 such person knew 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.

Provides for periodic payments of future damage awards.

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## **Actions Timeline**

- **Oct 2, 2006:** Referred to the Subcommittee on Health, for a period to be subsequently determined by the Chairman .
- **Sep 29, 2006:** Sponsor introductory remarks on measure. (CR E1904)
- **Sep 28, 2006:** Introduced in House
- **Sep 28, 2006:** Introduced in House
- **Sep 28, 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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