

HR 3509

Medical Justice Act of 2007

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Health

Introduced: Sep 10, 2007

Current Status: Sponsor introductory remarks on measure. (CR H11149-11155)

Latest Action: Sponsor introductory remarks on measure. (CR H11149-11155) (Oct 2, 2007)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/3509>

Sponsor

Name: Rep. Burgess, Michael C. [R-TX-26]

Party: Republican • State: TX • Chamber: House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred To	Sep 10, 2007

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Medical Justice Act of 2007 - Sets forth provisions regulating civil actions for an injury or death as the result of health care.

Limits the non-economic damages that an individual may recover to: (1) \$250,000 from health care practitioners; (2) \$250,000 from any single health care institution; and (3) \$500,000 from the class of liable health care institutions.

Limits the total damages, including compensatory damages, that a person may recover from any single liable health care practitioner to \$1,400,000.

Provides that an insurer of a health care practitioner or health care institution is not liable for damages in excess of the liability of the insured for rejecting a reasonable settlement offer within policy limits.

Sets forth requirements for qualified expert reports.

Allows periodic or accrual payment for future damages.

Prohibits a jury from awarding punitive or exemplary damages against a health care practitioner or health care institution unless the jury is unanimous.

Makes each person liable only for a proportionate share of the total damages that directly corresponds to that person's responsibility.

Makes a person seeking damages liable for litigation costs incurred after rejection of a settlement offer if such person receives a judgment at trial that is significantly less favorable than the terms of the settlement offer.

Requires claims to be brought: (1) within two years after the act or omission if the affected individual is over the age of 12; or (2) before an affected individual under 12 attains the age of 14. Sets the statute of repose at no later than 10 years after the act or omission.

Makes a health care practitioner or health care institution that provides emergency health care on a Good Samaritan basis immune from liability for damages caused by that care, except for willful or wanton negligence or more culpable misconduct.

Actions Timeline

- **Oct 2, 2007:** Sponsor introductory remarks on measure. (CR H11149-11155)
- **Sep 10, 2007:** Introduced in House
- **Sep 10, 2007:** Referred to the House Committee on the Judiciary.