

HR 1086

Help Efficient, Accessible, Low-cost, Timely Healthcare (HEALTH) Act of 2009

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Health

Introduced: Feb 13, 2009

Current Status: Referred to the Subcommittee on Health.

Latest Action: Referred to the Subcommittee on Health. (Feb 23, 2009)

Official Text: <https://www.congress.gov/bill/111th-congress/house-bill/1086>

Sponsor

Name: Rep. Gingrey, Phil [R-GA-11]

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

Cosponsors (72 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Akin, W. Todd [R-MO-2]	R · MO		Feb 13, 2009
Rep. Bachmann, Michele [R-MN-6]	R · MN		Feb 13, 2009
Rep. Bartlett, Roscoe G. [R-MD-6]	R · MD		Feb 13, 2009
Rep. Bishop, Rob [R-UT-1]	R · UT		Feb 13, 2009
Rep. Blackburn, Marsha [R-TN-7]	R · TN		Feb 13, 2009
Rep. Buchanan, Vern [R-FL-13]	R · FL		Feb 13, 2009
Rep. Burton, Dan [R-IN-5]	R · IN		Feb 13, 2009
Rep. Capito, Shelley Moore [R-WV-2]	R · WV		Feb 13, 2009
Rep. Cole, Tom [R-OK-4]	R · OK		Feb 13, 2009
Rep. Deal, Nathan [R-GA-9]	R · GA		Feb 13, 2009
Rep. Dent, Charles W. [R-PA-15]	R · PA		Feb 13, 2009
Rep. Fallin, Mary [R-OK-5]	R · OK		Feb 13, 2009
Rep. Franks, Trent [R-AZ-2]	R · AZ		Feb 13, 2009
Rep. Frelinghuysen, Rodney P. [R-NJ-11]	R · NJ		Feb 13, 2009
Rep. Gerlach, Jim [R-PA-6]	R · PA		Feb 13, 2009
Rep. Hall, Ralph M. [R-TX-4]	R · TX		Feb 13, 2009
Rep. Heller, Dean [R-NV-2]	R · NV		Feb 13, 2009
Rep. Hensarling, Jeb [R-TX-5]	R · TX		Feb 13, 2009
Rep. Johnson, Sam [R-TX-3]	R · TX		Feb 13, 2009
Rep. Linder, John [R-GA-7]	R · GA		Feb 13, 2009
Rep. Mack, Connie [R-FL-14]	R · FL		Feb 13, 2009
Rep. McMorris Rodgers, Cathy [R-WA-5]	R · WA		Feb 13, 2009
Rep. Pitts, Joseph R. [R-PA-16]	R · PA		Feb 13, 2009
Rep. Price, Tom [R-GA-6]	R · GA		Feb 13, 2009
Rep. Radanovich, George [R-CA-19]	R · CA		Feb 13, 2009
Rep. Roskam, Peter J. [R-IL-6]	R · IL		Feb 13, 2009
Rep. Scalise, Steve [R-LA-1]	R · LA		Feb 13, 2009
Rep. Schmidt, Jean [R-OH-2]	R · OH		Feb 13, 2009
Rep. Sessions, Pete [R-TX-32]	R · TX		Feb 13, 2009
Rep. Shuster, Bill [R-PA-9]	R · PA		Feb 13, 2009
Rep. Smith, Lamar [R-TX-21]	R · TX		Feb 13, 2009
Rep. Westmoreland, Lynn A. [R-GA-3]	R · GA		Feb 13, 2009
Rep. Wolf, Frank R. [R-VA-10]	R · VA		Feb 13, 2009
Rep. Souder, Mark E. [R-IN-3]	R · IN		Feb 23, 2009
Rep. Gallegly, Elton [R-CA-24]	R · CA		Feb 24, 2009
Rep. Biggert, Judy [R-IL-13]	R · IL		Feb 25, 2009
Rep. Wittman, Robert J. [R-VA-1]	R · VA		Feb 25, 2009
Rep. Matheson, Jim [D-UT-2]	D · UT		Mar 2, 2009
Rep. Calvert, Ken [R-CA-44]	R · CA		Mar 12, 2009
Rep. Culberson, John Abney [R-TX-7]	R · TX		Mar 12, 2009
Rep. Forbes, J. Randy [R-VA-4]	R · VA		Mar 12, 2009

Cosponsor	Party / State	Role	Date Joined
Rep. Hastings, Doc [R-WA-4]	R · WA		Mar 12, 2009
Rep. Kirk, Mark Steven [R-IL-10]	R · IL		Mar 12, 2009
Rep. Stearns, Cliff [R-FL-6]	R · FL		Apr 28, 2009
Rep. McHugh, John M. [R-NY-23]	R · NY		Jun 2, 2009
Rep. Garrett, Scott [R-NJ-5]	R · NJ		Jun 15, 2009
Rep. Austria, Steve [R-OH-7]	R · OH		Jun 25, 2009
Rep. Royce, Edward R. [R-CA-40]	R · CA		Jul 17, 2009
Rep. Foxx, Virginia [R-NC-5]	R · NC		Jul 27, 2009
Rep. Manzullo, Donald A. [R-IL-16]	R · IL		Jul 28, 2009
Rep. Platts, Todd Russell [R-PA-19]	R · PA		Sep 8, 2009
Rep. Herger, Wally [R-CA-2]	R · CA		Sep 15, 2009
Rep. Chaffetz, Jason [R-UT-3]	R · UT		Sep 17, 2009
Rep. Kingston, Jack [R-GA-1]	R · GA		Sep 17, 2009
Rep. Scott, David [D-GA-13]	D · GA		Sep 17, 2009
Rep. Wilson, Joe [R-SC-2]	R · SC		Sep 22, 2009
Rep. Hoekstra, Peter [R-MI-2]	R · MI		Sep 23, 2009
Rep. Lee, Christopher J. [R-NY-26]	R · NY		Sep 23, 2009
Rep. Miller, Gary G. [R-CA-42]	R · CA		Sep 23, 2009
Rep. Marchant, Kenny [R-TX-24]	R · TX		Sep 25, 2009
Rep. Graves, Sam [R-MO-6]	R · MO		Oct 1, 2009
Rep. Neugebauer, Randy [R-TX-19]	R · TX		Oct 8, 2009
Rep. Blunt, Roy [R-MO-7]	R · MO		Oct 21, 2009
Rep. Petri, Thomas E. [R-WI-6]	R · WI		Oct 29, 2009
Rep. Simpson, Michael K. [R-ID-2]	R · ID		Nov 3, 2009
Rep. Kline, John [R-MN-2]	R · MN		Nov 4, 2009
Rep. Bono Mack, Mary [R-CA-45]	R · CA		Nov 5, 2009
Rep. Crenshaw, Ander [R-FL-4]	R · FL		Nov 6, 2009
Rep. Schock, Aaron [R-IL-18]	R · IL		Nov 16, 2009
Rep. McKeon, Howard P. "Buck" [R-CA-25]	R · CA		Dec 1, 2009
Rep. Wamp, Zach [R-TN-3]	R · TN		Dec 1, 2009
Rep. Castle, Michael N. [R-DE-At Large]	R · DE		Jul 30, 2010

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Feb 23, 2009
Judiciary Committee	House	Referred To	Feb 13, 2009

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
111 HR 2975	Related bill	Jun 23, 2009: Referred to the Subcommittee on Health.

Summary (as of Feb 13, 2009)

Help Efficient, Accessible, Low Cost, Timely Healthcare (HEALTH) Act of 2009 - Sets conditions for lawsuits arising from health care liability claims regarding 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.

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.

Denies punitive damages in the case of products approved, cleared, or licensed by the Food and Drug Administration (FDA), or otherwise considered in compliance with FDA standards.

Provides for periodic payments of future damages.

Actions Timeline

- **Feb 23, 2009:** Referred to the Subcommittee on Health.
- **Feb 13, 2009:** Introduced in House
- **Feb 13, 2009:** Referred to House Judiciary
- **Feb 13, 2009:** 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 13, 2009:** Referred to House Energy and Commerce