

HR 1468

Medical Justice Act of 2009

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Law

Introduced: Mar 12, 2009

Current Status: Referred to the House Committee on the Judiciary.

Latest Action: Referred to the House Committee on the Judiciary. (Mar 12, 2009)

Official Text: <https://www.congress.gov/bill/111th-congress/house-bill/1468>

Sponsor

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

Party: Republican • State: TX • Chamber: House

Cosponsors (8 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Granger, Kay [R-TX-12]	R · TX		Jul 9, 2009
Rep. Sessions, Pete [R-TX-32]	R · TX		Jul 9, 2009
Rep. Carter, John R. [R-TX-31]	R · TX		Jul 16, 2009
Rep. Conaway, K. Michael [R-TX-11]	R · TX		Jul 16, 2009
Rep. Marchant, Kenny [R-TX-24]	R · TX		Jul 16, 2009
Rep. Olson, Pete [R-TX-22]	R · TX		Jul 16, 2009
Rep. McCaul, Michael T. [R-TX-10]	R · TX		Oct 15, 2009
Rep. Johnson, Sam [R-TX-3]	R · TX		Oct 22, 2009

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred To	Mar 12, 2009

Subjects & Policy Tags

Policy Area:

Law

Related Bills

No related bills are listed.

Medical Justice Act of 2009 - Sets forth provisions regulating civil actions for an injury or death as the result of health care.

Sets forth limits on: (1) the non-economic damages that an individual may recover from health care practitioners and health care institutions; and (2) the total damages that a person may recover from any single liable health care practitioner.

Declares that an insurer of a health care practitioner or health care institution that rejects a reasonable settlement offer within policy limits is not, by reason of such rejection, liable for damages in excess of the liability of the insured.

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 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.

Sets forth a time frame within which claims related to any health care act or omission must be brought.

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**

- **Mar 12, 2009:** Introduced in House
- **Mar 12, 2009:** Referred to the House Committee on the Judiciary.