

HR 4007

To authorize the Secretary of Health and Human Services to make grants to 5 States to establish medical malpractice tribunal pilot programs, and for other purposes.

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Health

Introduced: Nov 3, 2009

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

Latest Action: Referred to the House Committee on the Judiciary. (Nov 3, 2009)

Official Text: <https://www.congress.gov/bill/111th-congress/house-bill/4007>

Sponsor

Name: Rep. Lee, Christopher J. [R-NY-26]

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

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Hunter, Duncan D. [R-CA-52]	R · CA		Nov 3, 2009

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred To	Nov 3, 2009

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Authorizes the Secretary of Health and Human Services (HHS) to make grants to five states to establish pilot programs under which: (1) each medical malpractice case is heard in the first instance by a medical tribunal composed of a state trial court judge, a physician, and a lawyer; and (2) the tribunal shall hear all evidence that would be admissible in state court and determine whether it would be sufficient to support a finding for the plaintiff. Permits the plaintiff to pursue a case through the state's usual judicial process: (1) if the tribunal determines that the evidence would be sufficient; or (2) if the tribunal determines that the evidence would be insufficient, but only after filing with the clerk of the court a bond in an amount determined by the state trial court judge.

Permits the Secretary to award a grant to only a state that: (1) has an average cost of medical malpractice insurance that exceeds the national average; and (2) has not placed a limit on noneconomic damages in medical malpractice cases or established a medical tribunal program similar to the one described in this Act.

Directs the Secretary to collect from each state that receives grant funds, after the end of the third fiscal year, certain data regarding: (1) changes in the average cost of medical malpractice insurance, the number of physicians actively practicing medicine, the number of medical malpractice liability insurance carriers, the amounts paid by such carriers pursuant to settlements or judgments, and the percentage of medical malpractice cases settled prior to trial; and (2) the number of cases that were considered meritorious by the tribunal, and the number that were considered nonmeritorious, that were tried to a judgment and the number of such judgments that were for the plaintiff.

Actions Timeline

- **Nov 3, 2009:** Introduced in House
- **Nov 3, 2009:** Referred to the House Committee on the Judiciary.