

HR 2205

Ending Defensive Medicine and Encouraging Innovative Reforms Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Health

Introduced: Jun 16, 2011

Current Status: Referred to the Subcommittee on the Constitution.

Latest Action: Referred to the Subcommittee on the Constitution. (Aug 25, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/house-bill/2205>

Sponsor

Name: Rep. Dent, Charles W. [R-PA-15]

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

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Paulsen, Erik [R-MN-3]	R · MN		Jun 16, 2011

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Jun 22, 2011
Judiciary Committee	House	Referred to	Aug 25, 2011

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
112 HR 5652	Related bill	May 15, 2012: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 398.

Ending Defensive Medicine and Encouraging Innovative Reforms Act of 2011 - Sets conditions for lawsuits arising from health care liability claims regarding health care goods or services or any medical product affecting interstate commerce. Provides for periodic payment of future damages. Makes each party liable only for the amount of damages directly proportional to such party's percentage of responsibility. Requires the dismissal of any lawsuit for which a qualified specialist does not submit an affidavit to the court as to whether there is a reasonable and meritorious cause for filing the action. Requires the claimant to pay the defendant's reasonable costs and attorney fees, under certain circumstances. Absolves health care providers from liability if such providers acted consistent with accepted clinical practice guidelines.

Amends the Public Health Service Act to extend liability protections for employees of the Public Health Service to certain emergency medical personnel and health center volunteer practitioners.

Protects disaster relief volunteers, nonprofit organizations, and other entities from civil liability for injuries related to disaster relief services or donated goods, except for injuries caused by willful, wanton, or reckless misconduct.

Makes a state that has enacted and is implementing an alternative medical liability law eligible to receive an incentive payment from the Secretary of Health and Human Services (HHS). Subjects health care lawsuits in a state receiving an incentive payment to liability limits and other provisions governing health care liability claims if the state's alternative medical liability laws have not brought about a reduction in the number of health care lawsuits in the state, a reduction in the amount of time required to resolve lawsuits in the state, and a reduction in the cost of malpractice insurance in the state.

Actions Timeline

- **Aug 25, 2011:** Referred to the Subcommittee on the Constitution.
- **Jun 22, 2011:** Referred to the Subcommittee on Health.
- **Jun 16, 2011:** Introduced in House
- **Jun 16, 2011:** Referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, 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.