

HR 3656

ACCESS Act of 2019

Congress: 116 (2019–2021, Ended)

Chamber: House

Policy Area: Health

Introduced: Jul 9, 2019

Current Status: Referred to the Subcommittee on Health.

Latest Action: Referred to the Subcommittee on Health. (Jul 10, 2019)

Official Text: <https://www.congress.gov/bill/116th-congress/house-bill/3656>

Sponsor

Name: Rep. Hudson, Richard [R-NC-8]

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

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Bucshon, Larry [R-IN-8]	R · IN		Jul 9, 2019
Rep. Marshall, Roger [R-KS-1]	R · KS		Jul 9, 2019
Rep. Roe, David P. [R-TN-1]	R · TN		Sep 24, 2019

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Jul 10, 2019
Judiciary Committee	House	Referred To	Jul 9, 2019

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Accessible Care by Curbing Excessive lawSuitS Act of 2019 or ACCESS Act of 2019

This bill establishes rules for health care lawsuits where some amount of coverage or care was provided or paid for by a federal program, regardless of the number of other parties to the claim.

The bill sets a three-year maximum statute of limitations from the date of the injury, subject to specific exceptions. Further, noneconomic damages (e.g., damages for pain and suffering) are limited to a maximum of \$250,000. The bill permits courts to supervise and limit contingent fees paid to attorneys and sets a maximum contingent fee percentage based on a downward sliding scale as a damages increase.

The bill permits either party to introduce evidence of collateral source benefits (e.g., workers' compensation programs, accident insurance coverage, or other future benefit). Statements by a health care provider expressing fault, sympathy, or apology are, however, inadmissible as evidence of liability.

Additionally, a plaintiff must give 90 days' notice to the health care provider before filing a lawsuit. When filing a health care lawsuit, plaintiffs also must simultaneously submit an affidavit in support of the claim from a health care professional who meets the standards for an expert witness that are provided in the bill.

This bill generally does not preempt state laws that impose additional limits on health care liability claims.

Actions Timeline

- **Jul 10, 2019:** Referred to the Subcommittee on Health.
- **Jul 9, 2019:** Introduced in House
- **Jul 9, 2019:** 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.