

108TH CONGRESS
1ST SESSION

H. R. 1044

To establish the Commission on Medical Malpractice Insurance.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2003

Mr. WYNN introduced the following bill; which was referred to the Committee
on Energy and Commerce

A BILL

To establish the Commission on Medical Malpractice
Insurance.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. COMMISSION ON MEDICAL MALPRACTICE IN-**
4 **SURANCE.**

5 (a) ESTABLISHMENT.—There is established a com-
6 mission to be known as the Commission on Medical Mal-
7 practice Insurance (in this section referred to as the
8 “Commission”).

9 (b) DUTY.—The duty of the Commission shall be to
10 study the cause of rising medical malpractice premium
11 rates by medical malpractice insurance carriers in the

1 United States during the 20-year period ending with the
2 date of the enactment of this Act, which shall include (but
3 not be limited to) study of the following matters:

4 (1) The investment, accounting, and pricing
5 practices of such carriers.

6 (2) Jury awards in medical malpractice cases.

7 (c) MEMBERS.—The Commission shall be composed
8 of 8 members, each of whom shall be an expert in matters
9 relating to the duty of the Commission and shall serve
10 without pay. The members shall be appointed as follows:

11 (1) 2 members appointed by the majority leader
12 of the Senate.

13 (2) 2 members appointed by the minority leader
14 of the Senate.

15 (3) 2 members appointed by the Speaker of the
16 House of Representatives.

17 (4) 2 members appointed by the minority leader
18 of the House of Representatives.

19 (d) STAFF.—Subject to the availability of appropria-
20 tions, the Commission may appoint and fix the pay of per-
21 sonnel as it considers appropriate.

22 (e) OBTAINING OFFICIAL DATA.—The Commission
23 may secure directly from any department or agency of the
24 United States information necessary to enable it to carry
25 out this Act. Upon request of the Commission, the head

1 of that department or agency shall furnish that informa-
2 tion to the Commission.

3 (f) **MAILS.**—The Commission may use the United
4 States mails in the same manner and under the same con-
5 ditions as other departments and agencies of the United
6 States.

7 (g) **REPORT.**—Not later than 1 year after the date
8 of the enactment of this Act, the Commission shall submit
9 to Congress a report. The report shall contain a detailed
10 statement of the findings and conclusions of the Commis-
11 sion, together with its recommendations for legislation or
12 administrative action and any other matter that the Com-
13 mission considers appropriate.

14 (h) **TERMINATION.**—The Commission shall terminate
15 upon submitting its report under subsection (g).

16 (i) **AUTHORIZATION OF APPROPRIATIONS.** There is
17 authorized to be appropriated such sums as may be nec-
18 essary to carry out this Act.

○