

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 568 Session of 2013

INTRODUCED BY RAFFERTY, YAW, YUDICHAK, VULAKOVICH, BROWNE,
GREENLEAF, MENSCH AND TARTAGLIONE, FEBRUARY 22, 2013

REFERRED TO BANKING AND INSURANCE, FEBRUARY 22, 2013

AN ACT

1 Amending the act of March 20, 2002 (P.L.154, No.13), entitled
2 "An act reforming the law on medical professional liability;
3 providing for patient safety and reporting; establishing the
4 Patient Safety Authority and the Patient Safety Trust Fund;
5 abrogating regulations; providing for medical professional
6 liability informed consent, damages, expert qualifications,
7 limitations of actions and medical records; establishing the
8 Interbranch Commission on Venue; providing for medical
9 professional liability insurance; establishing the Medical
10 Care Availability and Reduction of Error Fund; providing for
11 medical professional liability claims; establishing the Joint
12 Underwriting Association; regulating medical professional
13 liability insurance; providing for medical licensure
14 regulation; providing for administration; imposing penalties;
15 and making repeals," establishing the Mcare Commission.

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 Section 1. The act of March 20, 2002 (P.L.154, No.13), known
19 as the Medical Care Availability and Reduction of Error (Mcare)
20 Act, is amended by adding a section to read:

21 Section 5103.2. Mcare Commission.

22 (a) Establishment.--There is established the Mcare
23 Commission.

24 (b) Composition.--The Mcare Commission shall consist of the

following members:

(1) One member appointed by the Governor.

(2) One member appointed by the President pro tempore of the Senate.

(3) One member appointed by the Minority Leader of the Senate.

(4) One member appointed by the Speaker of the House of Representatives.

(5) One member appointed by the Minority Leader of the House of Representatives.

(6) Three members of the medical community in this Commonwealth, appointed by the Governor from individuals formally recommended by the Pennsylvania Medical Society.

(7) Two members who are hospital administrators in this Commonwealth, appointed by the Governor from individuals recommended by the Hospital and Healthsystem Association of Pennsylvania.

(8) One Pennsylvania student from an accredited Pennsylvania Medical College.

(c) Powers and duties.--Notwithstanding this act or any other law and on and after the effective date of this section, the commission shall review all funding which emanates from the Medical Care Availability and Reduction of Error (Mcare) Fund. No funding shall emanate from the fund unless approved by a majority of the commission.

Section 2. This act shall take effect in 60 days.