

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2890 Session of
2006

INTRODUCED BY NICKOL, BAKER, BALDWIN, BARRAR, BELARDI, BELFANTI,
BEYER, BOYD, BUNT, CALTAGIRONE, CAPPELLI, CAUSER, CLYMER,
CORNELL, CRAHALLA, DALEY, DALLY, DENLINGER, FRANKEL,
GILLESPIE, GINGRICH, GODSHALL, GOOD, GRELL, HARHAI, HARPER,
JAMES, JOSEPHS, KILLION, LEACH, LEH, MAJOR, MANDERINO, MANN,
MARKOSEK, MICOZZIE, NAILOR, PHILLIPS, PICKETT, RAYMOND, REED,
REICHLEY, ROEBUCK, ROSS, RUBLEY, SATHER, SAYLOR, SHAPIRO,
SOLOBAY, SONNEY, STEIL, STERN, R. STEVENSON, E. Z. TAYLOR,
TIGUE, WATSON, YOUNGBLOOD AND QUIGLEY, AUGUST 16, 2006

REFERRED TO COMMITTEE ON INSURANCE, AUGUST 16, 2006

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," further providing for the Health Care
16 Provider Retention Program.

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

19 Section 1. Sections 1102 and 1115 of the act of March 20,
20 2002 (P.L.154, No.13), known as the Medical Care Availability
21 and Reduction of Error (Mcare) Act, added December 22, 2005

1 (P.L.458, No.88), are amended to read:

2 Section 1102. Abatement program.

3 There is hereby established within the Insurance Department a
4 program to be known as the Health Care Provider Retention
5 Program. The Insurance Department, in conjunction with the
6 Department of Public Welfare, shall administer the program. The
7 program shall provide assistance in the form of assessment
8 abatements to health care providers for calendar years 2003,
9 2004, 2005 [and], 2006, 2007 and 2008, except that licensed
10 podiatrists shall not be eligible for calendar years 2003 and
11 2004, and nursing homes shall not be eligible for calendar years
12 2003, 2004 and 2005.

13 Section 1115. Expiration.

14 The Health Care Provider Retention Program established under
15 this chapter shall expire December 31, [2007] 2009.

16 Section 2. This act shall take effect immediately.