

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1286 Session of
2017

INTRODUCED BY MENTZER, ZIMMERMAN, HICKERNELL, GREINER AND
B. MILLER, MAY 22, 2017

REFERRED TO COMMITTEE ON INSURANCE, MAY 22, 2017

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," in medical professional liability,
16 providing for punitive damages study.

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

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

22 Section 505.1. Punitive damages study.

23 (a) Duty of commissioner.--The commissioner shall complete a
24 study of the amount of punitive damages paid since April 1,
25 2007, to the Medical Care Availability and Reduction of Error

1 Fund under section 505(e).

2 (b) Timing.--The study shall be completed no later than one
3 year after the effective date of this section.

4 (c) Submission.--The study shall be submitted to the
5 following:

6 (1) The chair and minority chair of the Banking and
7 Insurance Committee of the Senate.

8 (2) The chair and minority chair of the Insurance
9 Committee of the House of Representatives.

10 Section 2. This act shall take effect immediately.