

HOUSE BILL 402

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CF SB 188

By: **Delegates Rosenberg and Morhaim**

Introduced and read first time: February 6, 2015

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force to Study the Establishment of Health Courts**

3 FOR the purpose of establishing the Task Force to Study the Establishment of Health
4 Courts; providing for the composition, chair, and staffing of the Task Force;
5 prohibiting a member of the Task Force from receiving certain compensation, but
6 authorizing the reimbursement of certain expenses; requiring the Task Force to
7 study and make recommendations regarding certain matters; requiring the Task
8 Force to report its findings and recommendations to the Governor and the General
9 Assembly on or before a certain date; providing for the termination of this Act; and
10 generally relating to the Task Force to Study the Establishment of Health Courts.

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 That:

13 (a) There is a Task Force to Study the Establishment of Health Courts.

14 (b) The Task Force consists of the following members:

15 (1) two members of the Senate of Maryland, appointed by the President of
16 the Senate;

17 (2) two members of the House of Delegates, appointed by the Speaker of
18 the House;

19 (3) the Chief Judge of the Court of Appeals, or the Chief Judge's designee;

20 (4) two members of the Standing Committee on Rules of Practice and
21 Procedure of the Court of Appeals, appointed by the Chief Judge;

22 (5) two members of the Conference of Circuit Judges or the members'
23 designees, appointed by the Chief Judge; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (6) the following members, appointed by the Governor:
- 2 (i) an attorney representing plaintiffs in medical malpractice suits;
- 3 (ii) an attorney representing defendants in medical malpractice
4 suits;
- 5 (iii) one representative of MedChi, the Maryland State Medical
6 Society;
- 7 (iv) one representative of the Maryland Hospital Association;
- 8 (v) one representative of the health insurance industry;
- 9 (vi) one representative of the medical malpractice insurance
10 industry;
- 11 (vii) one representative of the Maryland Consumer Rights Coalition;
- 12 (viii) one representative of the Maryland Association for Justice;
- 13 (ix) one representative of the Maryland Defense Counsel;
- 14 (x) one representative of the Medical Mutual Liability Insurance
15 Society of Maryland; and
- 16 (xi) one member of the general public representing Maryland health
17 care consumers.
- 18 (c) The Governor shall designate the chair of the Task Force.
- 19 (d) The Administrative Office of the Courts shall provide staff for the Task Force.
- 20 (e) A member of the Task Force:
- 21 (1) may not receive compensation as a member of the Task Force; but
- 22 (2) is entitled to reimbursement for expenses under the Standard State
23 Travel Regulations, as provided in the State budget.
- 24 (f) The Task Force shall:
- 25 (1) study the adequacy and cost of State laws and policies relating to the
26 litigation of medical malpractice cases, including an examination of the efficiency of the State
27 court system and whether justice would be better served by assigning judges with medical
28 liability expertise to hear those cases; and

1 (2) make recommendations regarding the establishment of health courts to
2 hear medical malpractice cases and the feasibility of assigning a medical malpractice case
3 to a single judge throughout the litigation process.

4 (g) On or before December 31, 2015, the Task Force shall report its findings and
5 recommendations to the Governor and, in accordance with § 2-1246 of the State
6 Government Article, the General Assembly.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
8 1, 2015. It shall remain effective for a period of 1 year and 1 month and, at the end of June
9 30, 2016, with no further action required by the General Assembly, this Act shall be
10 abrogated and of no further force and effect.