

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Relative to Establishing a Commission to Study Medical Malpractice Courts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Viriato Manuel deMacedo	1st Plymouth
Bradley H. Jones, Jr.	20th Middlesex
George N. Peterson, Jr.	9th Worcester
Elizabeth Poirier	14th Bristol

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO ESTABLISHING A COMMISSION TO STUDY MEDICAL MALPRACTICE COURTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. There is hereby established a special commission, to consist of two members of the
2 senate to be appointed by the senate president; one member to be appointed by the senate
3 minority leader; three members of the house of representatives to be appointed by the speaker of
4 the house; one member to be appointed by the house minority leader; the chief justice of the trial
5 court or his designee; and five persons to be appointed by the governor; one of whom shall be a
6 representative of the Massachusetts Bar Association; one of whom shall be a representative of
7 the Massachusetts Medical Society; and one of whom shall be a consumer of health care who is
8 not a doctor or lawyer. Said commission is hereby authorized and directed to conduct an
9 investigation into the feasibility of creating a specialized court for purposes of administering
10 medical malpractice claims. Said commission shall, in the course of its investigation and study,
11 consider, among other things it considers relevant, specialty courts within Massachusetts,
12 efficiencies to be gained, expertise and training needed by jurors and jurists, use of information
13 technology, the use of medical legal advisory panels, use of regional sites, court staffing needs

14 and such other matters as the commission may deem relevant. Appointed members of the
15 commission shall not be considered special state employees for the purpose of compliance with
16 Chapter 268A. The special commission shall submit a report to the governor, the speaker of the
17 house of representatives, the senate president, and the chief justice of the supreme judicial court
18 setting forth the special commission's findings, along with its recommendations and specific
19 legislative proposals, no later than one year after the special commission's appointment. The
20 special commission shall dissolve upon completion of its duties and obligations, as indicated by
21 submission of its findings and recommendations.