

**HOUSE . . . . . No. 3629**

---

**The Commonwealth of Massachusetts**

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

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