

HOUSE No. 2193

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 adoption of the accompanying bill:

An Act relative to establishing a commission to study medical malpractice courts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Donald F. Humason, Jr.</i>	<i>4th Hampden</i>
<i>Randy Hunt</i>	<i>5th Barnstable</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>Donald H. Wong</i>	<i>9th Essex</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>
<i>George N. Peterson, Jr.</i>	<i>9th Worcester</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>
<i>Viriato Manuel deMacedo</i>	<i>1st Plymouth</i>

HOUSE No. 2193

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 2193) of Bradley H. Jones, Jr. and others for an investigation by a special commission (including members of the General Court) of the feasibility of creating a specialized court for purposes of administering medical malpractice claims. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3629 OF 2009-2010.]

The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven
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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, consisting 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.