

HOUSE No. 1979

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel J. Hunt

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 medical malpractice insurance.

PETITION OF:

NAME:

Daniel J. Hunt

DISTRICT/ADDRESS:

13th Suffolk

HOUSE No. 1979

By Mr. Hunt of Boston, a petition (accompanied by bill, House, No. 1979) of Daniel J. Hunt that the Board of Registration in Medicine collect comprehensive information on medical malpractice insurance claims and settlements. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to medical malpractice insurance.

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. Section 5C of chapter 112 of the General Laws, as appearing in the 2012
2 Official Edition, is amended by adding the following two paragraphs:

3 The board shall annually issue a report on professional liability claims, settlements, and
4 judgments against hospitals and physicians by medical specialty and by hospital service line. The
5 data used to generate the annual report shall be made available to the public on the board's web
6 site through reports that may be downloaded for analysis and review. Hospital service lines shall
7 be determined by the board in consultation with the commissioner of public health. The report
8 shall include data on the frequency of claims and alleging errors in emergency department
9 services, nursing services, slips and falls, so-called, and alleged misdiagnoses. Claims,
10 settlements, and judgments shall be classified by type of health care facility, and medical office.
11 The report shall also include the average and median time period that cases are pending from the
12 time of filing to the time of settlement or judgment, and the total cost incurred or paid for each

13 claim, including the cost of settlements, judgments, and defense. The annual report shall include
14 malpractice claims against all physicians and hospitals in the commonwealth, respectively, but
15 shall not identify individual physicians, patients, or claimants.

16 Each medical malpractice insurer and risk management organizations that insures or
17 provides risk management services to physicians or hospitals in the commonwealth shall file
18 such information as the board may require by regulation in connection with such annual report.

19 SECTION 2. The board of registration in medicine shall promulgate regulations requiring
20 the collection of such information no later than 45 days after the effective date of this act.