

FIFTIETH LEGISLATURE
FIRST SESSION, 2011

SB 333/a

February 28, 2011

Mr. President:

Your CORPORATIONS AND TRANSPORTATION COMMITTEE, to whom has been referred

SENATE BILL 333

has had it under consideration and reports same with recommendation that it DO NOT PASS, but that

SENATE CORPORATIONS AND TRANSPORTATION COMMITTEE
SUBSTITUTE FOR SENATE BILL 333

DO PASS, amended as follows:

1. On page 1, line 12, after "TO" strike the remainder of the line and strike line 13 and insert in lieu thereof "EXPAND THE COVERAGE OF THE ACT, TO AUTHORIZE RULEMAKING, TO CREATE AN ADVISORY COMMITTEE,".

2. On page 1, line 18 through page 2, line 4, strike Section 1 in its entirety.

3. Renumber the succeeding sections accordingly.

4. On page 3, line 1, after "hospital" insert ", including an officer, employee or agent of a hospital".

5. On page 3, line 2, after "facility" insert ", including an officer, employee or agent of an outpatient health care facility".

6. On page 3, line 7, after "license" insert ", including an officer, employee or agent of a business entity".

7. On page 7, line 9, strike "seven hundred thousand dollars (\$700,000)" and insert in lieu thereof "eight hundred thousand dollars (\$800,000)".

**FIFTIETH LEGISLATURE
FIRST SESSION, 2011**

SCORC/SB 333

Page 2

8. On page 7, strike lines 12 through 17 and insert in lieu thereof the following paragraphs:

"(3) one million dollars (\$1,000,000) per occurrence for acts of malpractice occurring on or after January 1, 2014; and

(4) in subsequent years starting January 1, 2015, the per occurrence amount shall be changed according to the medicare inflation factor or three percent, whichever is less."

9. On page 14, line 22, strike "seven" and insert in lieu thereof "six".

10. On page 14, line 24 through page 15, line 2, strike Paragraphs (1) and (2) and insert in lieu thereof the following paragraphs:

"(1) two attorneys appointed by a statewide association that represents trial lawyers selected by the superintendent;

(2) two physicians appointed by a statewide association that represents physicians selected by the superintendent;

(3) one hospital administrator appointed by a statewide association that represents hospital administrators selected by the superintendent; and"

11. Renumber the succeeding paragraph accordingly.

12. On page 15, between lines 14 and 15, insert the following section:

"SECTION 8. A new section of the Medical Malpractice Act is enacted to read:

FIFTIETH LEGISLATURE
FIRST SESSION, 2011

SCORC/SB 333

Page 3

"[NEW MATERIAL] RULEMAKING AUTHORITY.--The superintendent shall promulgate such rules as are necessary to carry out the provisions of the Medical Malpractice Act.""

13. Renumber the succeeding section accordingly.,
and thence referred to the JUDICIARY COMMITTEE.

Respectfully submitted,

Phil A. Griego, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 6 For 4 Against
Yes: 6
No: Boitano, Burt, Cravens, Sharer
Excused: None
Absent: None