

House Amendment 8252

PAG LIN

1 1 Amend House File 2521 as follows:
1 2 #1. Page 2, by inserting after line 22 the
1 3 following:
1 4 1 5 TASK FORCE == STUDY. The insurance division of the
1 6 department of commerce shall establish a medical
1 7 malpractice insurance solution task force. The
1 8 medical malpractice insurance solution task force
1 9 shall conduct a study regarding the availability and
1 10 affordability of medical malpractice insurance in
1 11 Iowa. The purpose of the study shall be to provide
1 12 regulatory agencies and the general assembly with
1 13 possible solutions to alleviate problems regarding the
1 14 availability and affordability of medical malpractice
1 15 insurance in Iowa. The study shall include a broad
1 16 review of factors affecting the availability and
1 17 affordability of medical malpractice insurance in
1 18 Iowa, including all of the following:
1 19 1. Premium amounts charged by medical malpractice
1 20 insurers compared to expenses of medical malpractice
1 21 insurers related to actual medical malpractice costs
1 22 incurred including but not limited to administrative
1 23 and overhead costs and costs of litigation including
1 24 settlements and judgments during at least the previous
1 25 ten-year period.
1 26 2. The type of damages awarded in settlements and
1 27 judgments in medical malpractice actions including but
1 28 not limited to general economic and noneconomic
1 29 damages, actual medical expenses, future medical
1 30 expenses, lost wages, punitive damages, pain and
1 31 suffering, and loss of companionship.
1 32 3. Any other factors contributing to the increase,
1 33 decrease, and volatility of medical malpractice
1 34 insurance premiums.
1 35 4. Existing insurance regulatory requirements and
1 36 procedures.
1 37 5. Existing tort law in Iowa and the United
1 38 States, whether statutory or case law.
1 39 6. Any other relevant matters as agreed upon by
1 40 the task force.
1 41 The commissioner of insurance shall select the
1 42 members of the task force which shall include
1 43 representatives of medical malpractice insurers,
1 44 health care professionals and health care facilities
1 45 that purchase medical malpractice insurance, attorneys
1 46 that represent plaintiffs in medical malpractice
1 47 actions, attorneys that represent defendants in
1 48 medical malpractice actions, and any other parties or
1 49 experts as deemed appropriate by the commissioner.
1 50 The commissioner shall submit a report from the
2 1 task force to the general assembly on or before
2 2 January 15, 2005, regarding the task force's findings
2 3 and recommended possible solutions, including proposed
2 4 legislation, to make medical malpractice insurance
2 5 more available and more affordable in Iowa.>
2 6 #2. Title page, line 2, by inserting after the
2 7 word the following: 2 8 malpractice insurance solution task force and study>.
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2 11 _____
2 12 OLDSON of Polk
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2 15 _____
2 16 HOGG of Linn
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2 19 _____
2 20 MILLER of Webster
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2 23 _____
2 24 PETERSEN of Polk
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2 27 _____
2 28 QUIRK of Chickasaw
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2 30
2 31 _____
2 32 STRUYK of Pottawattamie
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2 34
2 35 _____
2 36 SWAIM of Davis
2 37
2 38
2 39 _____
2 40 WISE of Lee
2 41 HF 2521.1
2 42 kk/es/25