

**HOUSE . . . . . No. 02193**

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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 passage 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 Wong</i>             | <i>9th Essex</i>      |
| <i>Todd M. Smola</i>           | <i>1st Hampden</i>    |
| <i>Sheila 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 Poirier</i>       | <i>14th Bristol</i>   |
| <i>Viriato Manuel deMacedo</i> | <i>1st Plymouth</i>   |

# HOUSE . . . . . No. 02193

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 2193) of Frost 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 Joint Committee on 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 members of  
2 the senate to be appointed by the senate president; one member to be appointed by the senate  
3 minority leader; three members of the house of representatives to be appointed by the speaker of  
4 the house; one member to be appointed by the house minority leader; the chief justice of the trial  
5 court or his designee; and five persons to be appointed by the governor; one of whom shall be a  
6 representative of the Massachusetts Bar Association; one of whom shall be a representative of  
7 the Massachusetts Medical Society; and one of whom shall be a consumer of health care who is  
8 not a doctor or lawyer. Said commission is hereby authorized and directed to conduct an

9 investigation into the feasibility of creating a specialized court for purposes of administering  
10 medical malpractice claims. Said commission shall, in the course of its investigation and study,  
11 consider, among other things it considers relevant, specialty courts within Massachusetts,  
12 efficiencies to be gained, expertise and training needed by jurors and jurists, use of information  
13 technology, the use of medical legal advisory panels, use of regional sites, court staffing needs  
14 and such other matters as the commission may deem relevant. Appointed members of the  
15 commission shall not be considered special state employees for the purpose of compliance with  
16 Chapter 268A. The special commission shall submit a report to the governor, the speaker of the  
17 house of representatives, the senate president, and the chief justice of the supreme judicial court  
18 setting forth the special commission's findings, along with its recommendations and specific  
19 legislative proposals, no later than one year after the special commission's appointment. The  
20 special commission shall dissolve upon completion of its duties and obligations, as indicated by  
21 submission of its findings and recommendations.