

HOUSE BILL 1089

By Keisling

AN ACT to amend Tennessee Code Annotated, Title 4; Title 29; Title 33; Title 56; Title 63; Title 67 and Title 68, relative to reducing healthcare providers' insurance premiums by establishing healthcare provider responsibility through a no-fault system.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 56, is amended by adding the following as a new, appropriately designated section:

(a) The commissioner of commerce and insurance shall convene a working group of representatives from the healthcare liability insurance industry and healthcare providers to study creating a no-fault system to establish healthcare provider responsibility in order that healthcare providers' insurance premiums will be reduced.

The working group's study shall include, but not be limited to:

- (1) The reasons for the rising cost of healthcare liability insurance premiums and potential solutions to slow the growth in this state;
- (2) A comparison of the growth rate of healthcare liability insurance in this state to other states;
- (3) The trends, rising or declining, of healthcare liability insurance by geographic regions within this state;
- (4) The extent of any likely adverse impact on patients in the quality of care provided, or availability and price of healthcare services due to the manner in which the healthcare liability insurance industry operates; and
- (5) Any other issue that may be presented to the working group that would assist in the study of whether establishing healthcare provider

responsibility through a no-fault system would be more cost effective and provide more efficient and competitive delivery of health care in this state.

(b) The working group shall receive input from the healthcare liability insurance industry, the department of health, the department of commerce and insurance, the department of mental health and substance abuse services, healthcare providers, and patients.

(c)

(1) No later than January 1, 2018, the working group shall submit a report regarding its findings and recommendations, at which time the working group shall terminate and cease to exist.

(2) The report described in subdivision (c)(1) shall be submitted to the governor, the insurance and banking committee of the house of representatives, and the commerce and labor committee of the senate.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.