

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

SECOND REGULAR SESSION-1996

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No. 1729

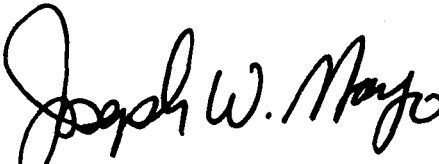
H.P. 1257

House of Representatives, January 23, 1996

**Resolve, to Require the Study of the Medical Liability Prelitigation
Screening Panels.**

Reported by Representative FITZPATRICK for the Maine Health Care Reform
Commission pursuant to Public Law 1993, chapter 707, Part AA, section 5.

Reference to the Joint Standing Committee on Banking and Insurance suggested and
printing ordered under Joint Rule 20.


JOSEPH W. MAYO, Clerk

2 **Sec. 1. Study design. Resolved:** That the Superintendent of
Insurance shall convene a committee of experts in research
4 methods to design and plan an analysis of the effectiveness of
the Medical Liability Prelitigation Screening Panels and to
6 determine the data requirements for the study. To the extent
possible, the analysis must, without limitation, measure whether
the panels:

8 1. Correctly identify meritorious and nonmeritorious claims
10 of professional negligence;

12 2. Effectively promote early recovery for those injured by
professional negligence;

14 3. Effectively promote early withdrawal or dismissal of
16 nonmeritorious claims;

18 4. Reduce the value of recovery or impair access to
recovery for meritorious claimants; and

20 5. Have an impact on the cost of health care or medical
22 liability insurance; and be it further

24 **Sec. 2. Data. Resolved:** That based on the study design
developed under section 1, the Superintendent of Insurance shall
26 collect data as necessary and available; and be it further

28 **Sec. 3. Study. Resolved:** That immediately after the
Superintendent of Insurance has collected data meeting the
30 requirements of the study design, the Bureau of Insurance shall
commission the study, to be conducted by experts in medical
32 liability. The results of the study and any necessary
implementing legislation must be submitted to the next Regular
34 Session of the Legislature that convenes after the study is
completed; and be it further

36 **Sec. 4. Effective date. Resolved:** That this resolve takes effect
38 July 1, 1996.

40 **STATEMENT OF FACT**

42 This resolve requires the Bureau of Insurance to convene a
44 committee of experts to study the prelitigation screening panels.