

House Bill 2849

Sponsored by Representatives BRUUN, GREENLICK; Representatives CANNON, DEMBROW, GARRETT, HARKER, MAURER, OLSON, THOMPSON

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs State Accident Insurance Fund Corporation to develop recommended state medical malpractice insurance program to be administered by corporation. Establishes task force to report to Legislative Assembly in 2010.

Sunsets task force on date of convening of next regular biennial legislative session.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1 Relating to state-provided medical malpractice insurance; and declaring an emergency.

2 **Be It Enacted by the People of the State of Oregon:**

3 **SECTION 1. The State Accident Insurance Fund Corporation shall develop and draft a**
4 **plan for a program for the corporation to offer state medical malpractice insurance to med-**
5 **ical providers within Oregon. The corporation shall submit the plan to the Task Force on**
6 **State-Provided Medical Malpractice Insurance for consideration.**

7 **SECTION 2. (1) There is created the Task Force on State-Provided Medical Malpractice**
8 **Insurance, consisting of five members appointed by the Governor.**

9 **(2) The task force shall:**

10 **(a) Provide guidelines to the State Accident Insurance Fund Corporation to meet the goal**
11 **of developing a state medical malpractice insurance program to be administered by the cor-**
12 **poration in Oregon; and**

13 **(b) Review recommendations from the State Accident Insurance Fund Corporation re-**
14 **garding development of a state medical malpractice insurance program administered by the**
15 **corporation and approve, reject or approve with modifications the plan submitted to the task**
16 **force under section 1 of this 2009 Act.**

17 **(3) A majority of the members of the task force constitutes a quorum for the transaction**
18 **of business.**

19 **(4) Official action by the task force requires the approval of a majority of the members**
20 **of the task force.**

21 **(5) The task force shall elect one of its members to serve as chairperson.**

22 **(6) If there is a vacancy for any cause, the Governor shall make an appointment to be-**
23 **come immediately effective.**

24 **(7) The task force shall meet at times and places specified by the call of the chairperson**
25 **or of a majority of the members of the task force.**

26 **(8) The task force may adopt rules necessary for the operation of the task force.**

27 **(9) The task force shall submit a progress report on development of a medical**
28 **malpractice insurance program administered by the State Accident Insurance Fund Corpo-**
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NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **ration to an interim committee of the Legislative Assembly related to medical malpractice**
2 **insurance no later than June 30, 2010.**

3 **(10) The task force shall submit a final report, including recommendations for legislation,**
4 **to an interim committee of the Legislative Assembly related to medical malpractice insur-**
5 **ance no later than October 1, 2010.**

6 **(11) The State Accident Insurance Fund shall provide staff support to the task force.**

7 **(12) Members of the task force are not entitled to compensation, but may be reimbursed**
8 **for actual and necessary travel and other expenses incurred by them in the performance of**
9 **their official duties in the manner and amounts provided for in ORS 292.495. Claims for ex-**
10 **penditures shall be paid out of funds appropriated to the State Accident Insurance Fund Corpo-**
11 **ration for purposes of the task force.**

12 **(13) All agencies of state government, as defined in ORS 174.111, are directed to assist**
13 **the task force in the performance of its duties and, to the extent permitted by laws relating**
14 **to confidentiality, to furnish such information and advice as the members of the task force**
15 **consider necessary to perform their duties.**

16 **SECTION 3. Section 2 of this 2009 Act is repealed on the date of the convening of the next**
17 **regular biennial legislative session.**

18 **SECTION 4. This 2009 Act being necessary for the immediate preservation of the public**
19 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**
20 **on its passage.**

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