

House Resolution 1873

By: Representatives Collins of the 27th, Hatchett of the 143rd, and Carter of the 175th

A RESOLUTION

1 Creating the House Study Committee on Defensive Medicine and Patient Compensation; and
2 for other purposes.

3 WHEREAS, a majority of physicians practice defensive medicine by ordering unnecessary
4 tests and procedures, thus driving up the cost of health care; and

5 WHEREAS, there is a problem with access to justice and fair compensation for the vast
6 majority of patients with legitimate injuries due to a lack of legal representation; and

7 WHEREAS, the cost and risk of medical liability is a deterrent to recruiting and retaining
8 physicians in this state; and

9 WHEREAS, the process of seeking compensation through medical malpractice litigation is
10 costly and protracted such that the delay in obtaining compensation is averaging
11 approximately five years; and

12 WHEREAS, an alternative to medical malpractice litigation in the form of an administrative
13 compensation system, which might include a Patient Trust Fund whereby patients are fairly
14 and expeditiously compensated for avoidable medical injuries, could significantly reduce the
15 practice of defensive medicine and lower health care costs in this state.

16 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that
17 the House Study Committee on Defensive Medicine and Patient Compensation is created,
18 to be composed of five members of the House of Representatives to be appointed by the
19 Speaker of the House of Representatives. The Speaker of the House of Representatives shall
20 designate a member of the committee as chairperson of the committee. The chairperson shall
21 call all meetings of the committee.

22 BE IT FURTHER RESOLVED that the committee shall undertake a study of the conditions,
23 needs, issues, and problems mentioned above or related thereto and recommend any action
24 or legislation which the committee deems necessary or appropriate. The committee may
25 conduct such meetings at such places and at such times as it may deem necessary or
26 convenient to enable it to exercise fully and effectively its powers, perform its duties, and
27 accomplish the objectives and purposes of this resolution. The members of the committee
28 shall receive the allowances provided for in Code Section 28-1-8 of the Official Code of
29 Georgia Annotated. The allowances authorized by this resolution shall not be received by
30 any member of the committee for more than five days unless additional days are authorized.
31 The funds necessary to carry out the provisions of this resolution shall come from the funds
32 appropriated to the House of Representatives. In the event the committee makes a report of
33 its findings and recommendations, with suggestions for proposed legislation, if any, such
34 report shall be made on or before December 15, 2012. The committee shall stand abolished
35 on December 15, 2012.