

**Department of Legislative Services**  
Maryland General Assembly  
2007 Session

**FISCAL AND POLICY NOTE**

House Bill 779  
Judiciary

(Delegates Shank and Morhaim)

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**Medical Malpractice - Medical Liability Division Task Force**

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This bill establishes a Medical Malpractice Division Task Force to study the feasibility of establishing a medical malpractice division in appropriate circuit courts. The task force's report must include: (1) input from the Maryland medical and legal communities; (2) a review of other states' experience in creating specialty courts or administrative procedures for compensating injured patients; (3) consideration of all operational aspects of establishing a medical malpractice division, including specified information; and (4) any other matters the task force considers relevant. The task force must issue a final report by December 1, 2007.

The bill takes effect July 1, 2007 and terminates June 30, 2008.

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**Fiscal Summary**

**State Effect:** Any costs relating to the task force are assumed to be minimal and absorbable within existing resources.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** When medical professional liability cases (malpractice cases) are litigated in court, they are docketed in the same manner as other civil actions in circuit court. There is no separate division or track for these cases.

**Background:** The Health Claims Alternative Dispute Resolution Office advises that of the 578 medical professional liability cases filed with the office in 2006, 376 were waived into circuit court for adjudication. The number of cases in each jurisdiction is unknown.

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### **Additional Information**

**Prior Introductions:** A similar bill, HB 1136 of 2006, received an unfavorable report from the House Judiciary Committee.

**Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts), Department of Legislative Services

**Fiscal Note History:** First Reader - March 4, 2007  
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