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TO THE HOUSE COMMITTEE ON HEALTH  
TWENTY-FIFTH LEGISLATURE  
Regular Session of 2009

Tuesday, February 10, 2009  
8:30 a.m.

**TESTIMONY ON HOUSE BILL NO. 1785 – RELATING TO MEDICAL MALPRACTICE CLAIMS.**

TO THE HONORABLE RYAN I. YAMANE, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is J.P. Schmidt, State Insurance Commissioner (“Commissioner”), testifying on behalf of the Department of Commerce and Consumer Affairs (“Department”). The Department appreciates the intent of this bill, which is to address the high cost of medical malpractice insurance.

The purpose of this bill is to establish a nine-member Medical Malpractice Task Force (“Task Force”) which will develop a strategic plan to address the high cost of medical malpractice insurance. The Task Force will be administratively attached to the Department, with the Department providing administrative, technical, professional, and clerical support to the Task Force.

Since this measure does not contain an appropriation, the Department would incur the costs in supporting the Task Force and would be required to re-direct resources from its core mission. Given the current fiscal challenges facing the state, it may not be prudent to attach the Task Force to the Department.

This bill does not designate a person from the Department to chair the Task Force. Where the Task Force Chair is not from the Department, it may be inappropriate for the Task Force Chair to be directing Department staff.

We thank this Committee for the opportunity to present testimony on this matter.