

CHAPTER 293
HB 489-FN – FINAL VERSION

13Mar2013... 0670h
01/30/14 0111s
4Jun2014... 1940CofC
4Jun2014... 2021EBA

2014 SESSION

13-0560
01/05

HOUSE BILL ***489-FN***

AN ACT establishing a commission to study the New Hampshire medical malpractice joint underwriting association and clarifying the procedure to be followed for certain funds held by the association.

SPONSORS: Rep. John Hunt, Ches 11; Rep. Butler, Carr 7

COMMITTEE: Commerce and Consumer Affairs

AMENDED ANALYSIS

 This bill establishes a commission to study issues relative to the New Hampshire medical malpractice joint underwriting association (NHMMJUA).

 This bill also clarifies the procedure to be followed for certain funds held by the NHMMJUA.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fourteen

AN ACT establishing a commission to study the New Hampshire medical malpractice joint underwriting association and clarifying the procedure to be followed for certain funds held by the association.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 293:1 New Chapter; Commission to Study the New Hampshire Medical Malpractice Joint
2 Underwriting Association. Amend RSA by inserting after chapter 404-H the following new chapter:

CHAPTER 404-I

COMMISSION TO STUDY THE NEW HAMPSHIRE

MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

6 404-I:1 Commission Established. There is hereby established a commission to study issues
7 relative to the New Hampshire medical malpractice joint underwriting association (NHMMJUA).

8 I. The members of the commission shall be as follows:

9 (a) One member of the senate, appointed by the senate president.

10 (b) Two members of the house of representatives, appointed by the speaker of the house
11 of representatives.

12 (c) The insurance commissioner, or designee.

13 (d) The commissioner of the department of health and human services, or designee.

14 (e) A representative of the New Hampshire Association of Domestic Insurance
15 Companies, appointed by the association.

16 (f) A member of the board of directors of the NHMMJUA, appointed by the board.

17 (g) A representative of the Dartmouth-Hitchcock Medical Center, nominated by the
18 president of the medical center and appointed by the president of the senate.

19 (h) A representative of New Hampshire Anthem Blue Cross Blue Shield, nominated by
20 the president of the organization and appointed by the president of the senate.

21 (i) A representative of Huggins Hospital in Wolfeboro, appointed by the president and
22 CEO of the hospital.

23 (j) A health care provider who is not a physician, appointed by the president of the
24 senate.

25 (k) An attorney who specializes in taxation, appointed by the president of the senate.

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1 (l) A representative of the New Hampshire Medical Society who is or has been a policy
2 holder of NHMMJUA, appointed by the society.

3 II. The legislative members of the commission shall receive mileage at the legislative rate
4 when attending to the duties of the commission.

5 III. The commission shall study issues relating to the NHMMJUA and make
6 recommendations for proposed legislation concerning its future, form, and function. The commission
7 shall solicit information from any person or entity the commission deems relevant to its study.

8 IV. The members of the commission shall elect a chairperson from among the members. The
9 first meeting shall be called by the senate member within 30 days of the effective date of this section.
10 Seven members of the commission shall constitute a quorum.

11 V. The commission shall make a report of its findings and any recommendations for
12 proposed legislation to the president of the senate, the speaker of the house of representatives, the
13 senate clerk, the house clerk, the governor, and the state library on or before November 1, 2014.

14 293:2 Repeal. RSA 404-I, relative to establishing a commission to study the New Hampshire
15 medical malpractice joint underwriting association, is repealed.

16 293:3 New Hampshire Medical Malpractice Joint Underwriting Association (NHMMJUA);
17 Funds. Amend RSA 404-C:14, V to read as follows:

18 V. Funds that cannot be distributed to a policyholder in the court proceedings referenced in
19 this section due to the inability to locate the policyholder after reasonable efforts, shall revert to the
20 NHMMJUA. Undistributed funds that revert to the NHMMJUA as provided in this section shall be
21 used to provide grants in aid to health care providers servicing medically underserved populations
22 [~~to assist in the NHMMJUA coverage~~].

23 293:4 Effective Date.

24 I. Section 2 of this act shall take effect November 1, 2014.

25 II. The remainder of this act shall take effect upon its passage.

26
27 Approved: August 1, 2014

28 Effective Date: I. Section 2 shall take effect November 1, 2014.

29 II. Remainder shall take effect August 1, 2014.