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| Bill no.: | HR 5 |
| Amendment no.: | 11 |
| Date offered: | 3/6/03 |
| Disposition: | Not Agreed to by 9 yeas and 27 nays |

AMENDMENT TO COMMITTEE PRINT

(H.R. 5, as Reported from the Subcommittee)

OFFERED BY MR. MARKEY

At the end of the bill, add the following new section:

1 **SEC. ____ USE OF SAVINGS TO BENEFIT PROVIDERS**
2 **THROUGH REDUCED PREMIUMS.**

3 Notwithstanding any other provision of this Act, a
4 provision of this Act that imposes a limit on the amount
5 of damages awarded may be applied by a court to the ben-
6 efit of a party insured by a health care liability insurance
7 company only if the court—

8 (1) determines the amount of savings realized
9 by the company as a result; and

10 (2) requires the company to pay an amount
11 equal to the amount of such savings to a trustee ap-
12 pointed by the court, to be distributed by such trust-
13 ee in a manner that has the effect of benefiting
14 health care providers insured by the company
15 through reduced premiums for health care liability
16 insurance.