

Bill no.:	HR 5
Amendment no.:	1j
Date offered:	3/6/03
Disposition:	Not Agreed to by VOICE VOTE

**AMENDMENT TO COMMITTEE PRINT**

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

**OFFERED BY MRS. CAPPS**

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

1 **SEC. \_\_. APPLICABILITY.**

2 (a) **IN GENERAL.**—Nothing in this Act shall apply  
3 to a State until the Secretary of Health and Human Serv-  
4 ices submits to Congress that a certification under sub-  
5 section (b) has been received from that State.

6 (b) **CERTIFICATIONS COVERED.**—A certification re-  
7 ferred to in subsection (a) is a certification submitted to  
8 the Secretary of Health and Human Services by the execu-  
9 tive officer of the State responsible for regulating medical  
10 malpractice insurance that the State has in effect—

11 (1) stringent controls on medical malpractice  
12 insurance company profiteering, waste, and ineffi-  
13 ciency through a regulatory process subject to public  
14 scrutiny and participation, including prior approval  
15 of rate and premium changes; and

16 (2) laws and policies that have ended monop-  
17 listic medical malpractice insurer practices within  
18 the State.