

AMENDMENT TO H.R. 5
OFFERED BY MR. MARKEY OF MASSACHUSETTS

Add at the end of the bill the following:

1 **SEC. 13. 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.

