

SENATE RESOLUTION NO. 160

BY SENATOR CONNICK

A RESOLUTION

To create and provide for the Louisiana Medical Malpractice Task Force to study and make recommendations to improve the medical review panel process.

WHEREAS, the Medical Malpractice Act, R.S. 40:1231.1 et seq., establishes procedures governing medical malpractice claims; and

WHEREAS, the medical review panel process was created to provide an expert evaluation of medical malpractice claims, encourage the fair resolution of disputes, and reduce unnecessary litigation costs; and

WHEREAS, a complex structure of laws, policies, procedures, and practices exist in Louisiana with the length, complexity, and administrative burden of the current medical review panel process; and

WHEREAS, several states have implemented merit-based screening systems designed to identify frivolous claims at an earlier stage while promoting the efficient resolution of meritorious claims; and

WHEREAS, the merit-based systems may include requirements for expert certification, pre-suit affidavits, or expedited scheduling requirements; and

WHEREAS, the Louisiana Senate recognizes the importance of studying and evaluating whether certain merit-based procedures implemented in other jurisdictions may improve efficiency, and maintain fairness for both claimants and healthcare providers in Louisiana.

THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana does hereby create the Louisiana Medical Malpractice Task Force to study, evaluate, and make recommendations to improve the medical review panel process, including to submit a written report and propose recommendations for legislation, and reforms to policy and practice.

BE IT FURTHER RESOLVED that the task force shall focus on guiding principles which include, at a minimum, consideration of the following:

- (1) Revisions to and streamlining of the medical review panel process in Louisiana.
- (2) Benefits of the merit-based system used in other states.

BE IT FURTHER RESOLVED that the Louisiana Medical Malpractice Task Force shall be comprised of the following members:

- (1) The chairman of the Senate Judiciary A, or his designee.
- (2) The president of the Louisiana Hospital Association, or his designee.
- (3) The president of the Louisiana State Medical Society, or his designee.
- (4) The executive director of the Louisiana Association of Justice, or his designee.
- (5) The president of the Patients Rights Advocacy Forum, or his designee.
- (6) Any additional persons may be appointed to the task force who are determined to have relevant knowledge regarding the Medical Malpractice Act and the medical review panel process, and would aid the task force in fulfilling its duties.

BE IT FURTHER RESOLVED that each designating authority shall submit the names and contact information of the designees and appointed members to the chairman of the Senate Committee on Judiciary A no later than August 1, 2026.

BE IT FURTHER RESOLVED that a majority of the task force shall constitute a quorum for the transaction of business. All official actions of the task force shall require the affirmative vote of the majority of the quorum.

BE IT FURTHER RESOLVED that the task force shall terminate on the date of the submission of its report or March 1, 2027, whichever occurs first.

BE IT FURTHER RESOLVED that the task force shall convene for its first meeting at the call of the chairman of the Senate Committee on Judiciary A, and at the first meeting, the members shall elect officers as the task force may deem appropriate.

BE IT FURTHER RESOLVED that the task force shall adopt rules of procedure and a meeting schedule, prepare an agenda for each meeting, and take any additional steps the task force determines necessary to accomplish its goals, timely prepare its report, and make its recommendations.

BE IT FURTHER RESOLVED that the members of the task force shall serve without compensation, except for per diem or expense reimbursement to which the member may be individually entitled as a member of the respective organizations.

BE IT FURTHER RESOLVED that the Senate Committee on Judiciary A shall provide necessary staff to support the task force.

BE IT FURTHER RESOLVED that the task force shall report its findings and proposed recommendations, together with specific proposals for legislation and reforms to policy and practice by written report to the Senate of the Legislature of Louisiana and to the David R. Poynter Legislative Research Library as required by R.S. 24:771 and 772, no later than March 1, 2027.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the chairman of the Senate Committee on Judiciary A, the president of the Louisiana Hospital Association, the president of the Louisiana State Medical Society, the executive director of the Louisiana Association of Justice, and the president of the Patient Rights Advocacy Forum.

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PRESIDENT OF THE SENATE