

1994 SESSION

ENROLLED

SENATE JOINT RESOLUTION NO. 159

Directing the Joint Commission on Health Care to study defensive medical practices and procedures.

Agreed to by the Senate, March 2, 1994

Agreed to by the House of Delegates, February 28, 1994

WHEREAS, every health care reform proposal introduced into Congress and many presentations made to the Joint Commission on Health Care include the need to manage rising medical costs; and

WHEREAS, it is estimated that as much as \$20,000 annually per doctor is passed on to patients in the form of additional diagnostic tests, record keeping and consultations, just to protect physicians from the threat of liability, which in Virginia totals \$200 million a year; and

WHEREAS, there is considerable potential to reduce the frequency of maloccurrence by better addressing the problem of negligence-prone physicians; and

WHEREAS, recent studies have researched and examined in detail what constitutes defensive medical care and negligent medical care and the causative factors and how those can be prevented; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Joint Commission on Health Care be directed to study defensive medical practices and procedures. The Commission shall study the effect of defensive medical care and negligent medical care upon (i) health care costs; (ii) health care providers' perceptions of the risk of medical malpractice and upon their behavior in determining which health care services will be rendered to a particular patient; (iii) the effectiveness of managed care systems in reducing or eliminating prescribed services that are determined not to be cost effective or medically necessary; and (iv) deterrents such as the medical malpractice system and risk management practices by health care providers or managed care organizations.

The University of Virginia Medical Center, the Medical College of Virginia, and the Medical College of Hampton Roads shall provide technical assistance for the study.

The Commission shall complete its work in time to submit its findings and recommendations to the Governor and the 1995 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

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