

The conference committee removed the provision that would have adopted the Daubert decision, a United States Supreme Court case concerning qualifications of experts, which was in the bill passed by the House. Although it is difficult to quantify the effect of these changes that were originally proposed in the bill, they clearly would have improved the system and likely would have reduced costs.

SUMMARY

I am committed to ensuring that Maryland maintains its position as a leader in providing health care to its citizens. We have world-class medical institutions in this State. I will do everything in my power to ensure quality health care in the State.

Accordingly, I will add \$18.5 million to the fiscal 2006 budget for the State Medicaid program. Combined with federal matching funds, this will total \$37 million that will go to increase reimbursements for providers whose rates are well below standard. I will further budget \$30 million to be used to help stabilize the medical malpractice insurance rates of providers, while we work toward a long-term solution to this problem.

What I will not do is sign this bill and declare victory. It is not a victory. It is a loss for the patients, the health care providers, and the taxpayers of this State. When the General Assembly meets in its regular session in two days time I urge the members to work with my Administration to adopt meaningful, long-term reform.

Yours very truly,
Robert L. Ehrlich, Jr.
Governor

House Bill 2

AN ACT concerning

Maryland Patients' Access to Quality Health Care Act of 2004

FOR the purpose of requiring a health care provider who attests in certain certificates or testifies in relation to certain proceedings concerning health care malpractice to meet certain qualifications; ~~providing for the termination of certain functions of the Health Claims Arbitration Office on or after a certain date; requiring a person who has a claim for a medical injury against a health care provider after a certain date to file a complaint in a court as provided in the Maryland Rules; providing for the transfer of certain functions of the Office to the clerks of the court and the Department of Health and Mental Hygiene on or after a certain date;~~ providing for certain procedures for a claim *or action* for a medical injury against a health care provider filed after a certain date; ~~requiring a claimant or plaintiff to file certain certificates for each defendant in a health care malpractice claim or action under certain circumstances; requiring that an arbitration panel or trier of fact itemize certain health care malpractice awards or verdicts in a certain manner;~~ requiring certain alternative dispute resolution of certain health care malpractice actions under certain circumstances; authorizing the Court of Appeals to adopt rules relating to