

2026 -- S 3345

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

SENATE RESOLUTION

CREATING A SPECIAL LEGISLATIVE COMMISSION TO MAKE A COMPREHENSIVE
STUDY OF RHODE ISLAND'S MEDICAL MALPRACTICE IMPACT ON HEALTH CARE
PROVIDERS AND HEALTH CARE COSTS IN RHODE ISLAND

Introduced By: Senators McKenney, Murray, Lawson, Ciccone, and Tikoian

Date Introduced: June 03, 2026

Referred To: Placed on the Senate Consent Calendar

1 WHEREAS, A 2021 Medscape survey confirms that malpractice claims are more
2 frequently made against surgical specialties, with plastic surgery, general surgery, orthopedics,
3 urology, obstetrics/gynecology making up the top five survey specialties reporting that they have
4 been named in a malpractice suit; and

5 WHEREAS, A fear of malpractice suits can also lead to defensive medicine practices,
6 which include the performance of unnecessary and costly diagnostic and non-diagnostic
7 procedures, as well as the omission of indicated, but potentially high-risk nondiagnostic
8 procedures; and

9 WHEREAS, The total costs have been estimated to contribute billions of dollars per year
10 to total healthcare expenditures in the US; and

11 WHEREAS, In a previously published 2019-2021 data from the Rhode Island Board of
12 Medical Licensure and Discipline, Rhode Island has been found to have a higher rate of
13 settlements compared to court awarded damages than other states; and

14 WHEREAS, Rhode Island must look toward finding ways to lower health care costs, and
15 protect patients, while retaining and attracting needed health care providers; now, therefore be it

16 RESOLVED, That a special legislative commission be and the same is hereby created
17 consisting of twelve (12) members: three (3) of whom shall be members of the Rhode Island
18 Senate, to be appointed by the President of the Senate; one of whom shall be the Executive
19 Director of the Rhode Island Medical Society, or designee; one of whom shall be the Executive

1 Director of the Rhode Island Association for Justice, or designee; one of whom shall be the
2 Executive Director of the Rhode Island Insurance Federation, or designee; one of whom shall be
3 the Executive Director of the Hospital Association of Rhode Island, or designee; two (2) of whom
4 shall be a risk management specialist from a hospital or large medical practice, to be appointed by
5 the President of the Senate; two (2) of whom shall be members of the general public, to be
6 appointed by the President of the Senate; and one of whom shall be a patient advocate, to be
7 appointed by the President of the Senate.

8 The commission is to be charged with the following:

9 (a) The purpose of said commission shall be to make a comprehensive study of Rhode
10 Island medical malpractice lawsuits, claims, settlements, administrative filings and the related
11 impact on medical malpractice insurance costs for providers;

12 (b) To study the correlation of risk of malpractice claims on shortages of providers in
13 certain specialties and areas of Rhode Island, leading to access to care issues for residents;

14 (c) To study the impact on statewide health care costs from current malpractice insurance
15 premiums, and claims;

16 (d) To develop recommendations for solutions, including, but not limited to, legal
17 reforms, to ensure the state's retention and attraction of providers in needed specialties; and

18 (e) To prepare a report on impacts of medical malpractice claims and insurance with
19 recommendations on ways to improve the system leading to lower health care costs while
20 protecting patients and making retaining and attracting needed health care providers a priority.

21 By September 18, 2026, upon passage of this resolution, the members of the commission
22 shall be appointed and shall meet at the call of the Senate President and organize and the Senate
23 President shall appoint a chair.

24 Vacancies in said commission shall be filled in like manner as the original appointment.

25 The membership of said commission shall receive no compensation for their services.

26 All departments and agencies of the State shall furnish such advice and information,
27 documentary and otherwise, to said commission and its agents as is deemed necessary or
28 desirable by the commission to facilitate the purposes of this resolution.

29 The Commission may be allotted annual budget resources to complete these functions.

30 The Joint Committee on Legislative Services is hereby authorized and directed to provide
31 suitable quarters for said commission; and be it further

32 RESOLVED, That the commission shall develop and submit its findings and
33 recommendations to the Senate no later than October 1, 2027, and said commission shall

1 expire on January 31, 2028.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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2 purpose it would be to make a comprehensive study of Rhode Island medical malpractice
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