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LC006092/SUB A
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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: March 12, 2026

Referred To: Senate Health & Human Services

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 thirteen (13) 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 a member of the
19 Rhode Island House of Representatives, to be appointed by the President of the Senate; one of

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

9 The commission is to be charged with the following:

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

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

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

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

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

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

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

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

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

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

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

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

1 on January 31, 2028.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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2 whose purpose it would be to make a comprehensive study of Rhode Island medical malpractice
3 lawsuits, claims, settlements, administrative filings and the related impact on medical malpractice
4 insurance costs for providers. The commission would develop and submit its findings and
5 recommendations to the Senate no later than October 1, 2027 and said commission would expire
6 on January 31, 2028.

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