104TH CONGRESS 2D SESSION

H. R. 4221

To amend the tort claims procedures in title 28, United States Code, to allow a member of a uniformed service to bring an action for personal injury against a health care professional in a uniformed service, with the exception of injuries received during a declared state of war.

IN THE HOUSE OF REPRESENTATIVES

September 26, 1996

Mr. Stockman introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the tort claims procedures in title 28, United States Code, to allow a member of a uniformed service to bring an action for personal injury against a health care professional in a uniformed service, with the exception of injuries received during a declared state of war.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Stephen E. LeNoir
- 5 Malpractice Accountability Act of 1996".

1 SEC. 2. MEDICAL MALPRACTICE AND THE UNIFORMED

- 2 SERVICES.
- 3 Section 2674 of title 28, United States Code, is
- 4 amended by adding at the end the following: "The United
- 5 States shall be liable in an action brought by a member
- 6 of a uniformed service for personal injury caused by the
- 7 provision of health care by a health care professional in
- 8 a uniformed service except in cases where such injuries
- 9 were sustained during a declared state of war.".

10 SEC. 3. EFFECTIVE DATE.

11 The amendment made by this Act shall apply with

12 respect to injuries sustained subsequent to January 1,

13 1990.

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