



February 27, 2017

The Honorable Robert Goodlatte  
Chairman, Judiciary Committee  
2138 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable John Conyers  
Ranking Member, Judiciary Committee  
2142 Rayburn House Office Building  
Washington, D.C. 20515

Dear Representatives Goodlatte and Conyers:

The Healthcare Leadership Council (HLC), a coalition of chief executives from all disciplines of the American healthcare system, strongly supports H.R. 1215, the "Protecting Access to Care Act." We urge the House Judiciary Committee to report this bill favorably to the full House.

This legislation appropriately balances the ability of victims of medical negligence to be made whole with the need to safeguard medical providers against less than meritorious claims where attorneys often come out better than the plaintiff. The civil litigation system should ensure fairness to all parties.

The "Protecting Access to Care Act" models medical liability reforms that have succeeded at the state level, including in California and Texas. Key elements include tightening the statute of limitations, placing an upper limit on noneconomic damages, permitting periodic payment of damages, and curbing attorneys' fees. At the same time, patients who suffered harm from negligent conduct would receive unlimited economic damages; and their medical expenses, lost wages, and costs of rehabilitation would be fully reimbursed, while their attorneys would take a smaller portion of the total recovery. Again, these very measures have proven effective at speeding resolution of lawsuits and making whole patients' meritorious claims, as seen in diverse states. This bill would simply adopt them federally, while respecting states' prerogative to adopt their own variations of medical liability reform.

These reforms are needed because the chance of liability lawsuits drives medical professionals to practice defensive medicine, where they order medically unnecessary tests, diagnostics, and procedures. This is a reasonable precaution, given that three out of every four doctors are likely to be named in a liability suit, and tort litigation will loom for 51 months of the average physician's career. Furthermore, defensive medicine adds an estimated \$160 billion to \$289 billion in health costs. The Congressional Budget Office says H.R. 1215 would trim federal health costs by \$55 billion and reduce the deficit by \$62 billion over the next decade.

The Healthcare Leadership Council encourages support for the "Protecting Access to Care Act," as well as other approaches to address medical liability reform. We commend this timely measure as worthy of your favorable consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary R. Greal".

Mary R. Greal  
President