



AMERICANS FOR TAX REFORM

# LEGISLATIVE ALERT

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## **ATR Supports Senate's Efforts to Improve Women's Access to Obstetrical and Gynecological Care**

WASHINGTON — This week the Senate will have a cloture vote on a motion to proceed with S. 2061, the Healthy Mothers and Healthy Babies Access to Care Act of 2003. **Americans for Tax Reform (ATR) strongly supports the Senate's efforts to pass long overdue and necessary Medical Malpractice Reform and urges Senators to allow debate and then pass the legislation.**

For years health care providers have faced difficulty obtaining affordable medical liability coverage. The problem has now reached a crisis level and women are being deprived access to crucial medical care because qualified physicians are being forced to leave the field of women's health due to high insurance costs. **These cost increases are caused by an overly expensive litigation system that is more interested in protecting trial lawyers than patients.**

The Healthy Mothers and Healthy Babies Access to Care Act comprehensively reforms the medical malpractice system by setting forth provisions regulating lawsuits for health care liability claims related to the provision of obstetrical or gynecological goods or services. These include, awarding punitive damages only when it is proven that a person acted with malicious intent, enacting caps on non economic damages, ensuring that party's are liable only for the amount of damages directly proportional their percentage of responsibility, and imposing time limits on filing of lawsuits.

### **Rising jury awards and settlements are increasing physicians' malpractice insurance premiums.**

Close to 60% of every health care dollar spent on health care liability goes to administrative costs and attorneys' fees. In addition, according to the American Medical Association, 19 states now face a medical liability crisis, 25 states show problem signs, and 6 states report "okay" status. While the crisis is reminiscent of the 1970s, the difference today is the increase in large jury awards.

Medical liability reform is one of the most important issues that we face in the United States. In 1998, the Congressional Budget Office estimated that the federal government would save \$1.5 billion over 10 years if medical malpractice reform were enacted. The General Accounting Office also estimated additional defense medicine savings of over \$10 billion. While the Healthy Mothers and Healthy Babies Access to Care Act only addresses on piece of the Medical Reform pie, the Senate must act on the legislation to provide women with the quality care they need and deserve.

## **ATR WILL RATE THIS VOTE IN OUR ANNUAL CONGRESSIONAL RATINGS**