June 6, 2007

The Honorable Phil Gingrey, MD
U.S. House of Representatives
119 Cannon House Office Bldg.
Washington, DC 20515

Dear Dr. Gingrey:

The undersigned national organizations representing physicians are writing to express our strong support for the Help Efficient, Accessible, Low-cost, Timely Healthcare (HEALTH) Act of 2007. We applaud your continued efforts to fix our broken medical liability system.

Unfortunately, the current system fails both patients and health care professionals. Escalating jury awards and settlements have resulted in unsustainable increases in medical liability insurance premiums, eroding access to health care services, and increasing health care costs. Every dollar that goes toward medical liability costs and defensive medicine is a dollar that does not go to patients who need care, nor toward investment in patient safety improvement or much-needed modern health information technology systems.

We believe that the proven reforms contained in this bill would help resolve the medical liability crisis, while ensuring that patients who have been injured receive just compensation. The HEALTH Act provides the right balance of reforms -- maintaining access to courts and unlimited compensation for economic damages, while limiting non-economic damages to a quarter of a million dollars. The HEALTH Act also promotes speedier resolutions to disputes, ensures fair allocation of responsibility, prevents double recovery of awards, and helps to maximize patient recovery of damage awards.

Similar reforms have been in place in California for more than 30 years, standing the test of time in keeping medical liability insurance premiums stable. Texas law also provides a compelling example of how successful tort reforms can improve patient access to care and reduce escalations in medical liability premiums. All major physician liability carriers in Texas have cut their rates since the passage of comprehensive liability reforms in 2003, most by double-digits. Two-thirds of Texas doctors have seen their rates slashed a quarter or more. Patients have also benefited from these reforms with an influx of specialists and physicians practicing in medically underserved communities in Texas. The state has added more than 4,500 physicians since passage of the 2003 reforms and is licensing an average of 400 more doctors per year than in the pre-reform years. The success of reforms in California and Texas could be achieved nation-wide with passage of the HEALTH Act.

We thank you for your continued leadership in striving to enact meaningful professional liability reform legislation that will make rational changes to the current system and preserve patients' access to medical care.

Sincerely,

American Academy of Dermatology Association
American Academy of Facial Plastic and Reconstructive Surgery
American Academy of Family Physicians
American Academy of Hospice and Palliative Medicine
American Academy of Neurology
American Academy of Ophthalmology

American Academy of Otolaryngology-Head and Neck Surgery
American Academy of Physical Medicine and Rehabilitation
American Association of Clinical Endocrinologists
American Association of Clinical Urologists
American Association of Neurological Surgeons
American Association of Orthopaedic Surgeons
American College of Cardiology
American College of Chest Physicians
American College of Emergency Physicians
American College of Gastroenterology
American College of Obstetricians and Gynecologists
American College of Osteopathic Emergency Physicians
American College of Osteopathic Family Physicians
American College of Osteopathic Internists
American College of Osteopathic Surgeons
American College of Physicians
American College of Radiology
American College of Rheumatology
American College of Surgeons
American Gastroenterological Association
American Geriatrics Society
American Medical Association
American Medical Directors Association
American Osteopathic Academy of Orthopedics
American Osteopathic Association
American Psychiatric Association
American Society for Clinical Pathology
American Society for Gastrointestinal Endoscopy
American Society for Therapeutic Radiology and Oncology
American Society of Addiction Medicine
American Society of Anesthesiologists
American Society of Cataract and Refractive Surgery
American Society of General Surgeons
American Society of Nephrology
American Society of Plastic Surgeons
American Rhinologic Society
American Urogynecologic Society
American Urological Association
Child Neurology Society
College of American Pathologists
Congress of Neurological Surgeons
Heart Rhythm Society
Infectious Diseases Society of America
Medical Group Management Association
National Association of Spine Specialists
Renal Physicians Association
Society for Cardiovascular Angiography and Interventions
Society for Vascular Surgery
Society of Gynecologic Oncologists
Society of Interventional Radiology
Society of Thoracic Surgeons