



Protect Patients Now

VOLUME 2, ISSUE 9

SEPTEMBER 2007 NEWSLETTER

E-Newsletter

Special points of interest:

- [John Edwards' Medical Liability Reform Proposals – a “Nothingburger?”](#)
- [Texas Legislator Introduces National Reform Bill in Congress](#)
- [Illinois on the Edge](#)
- [Mississippi on the Mend](#)
- [The EMS Shortage](#)

John Edwards' Medical Liability Reform Proposals – a “Nothingburger?”

Democratic presidential candidate John Edwards said this week that some reform of America's medical liability system is needed. The former trial lawyer believes that attorneys should have to demonstrate the merit of their medical liability cases before they file them. He added that attorneys with a history of frivolous suits should be prohibited from bringing further cases (sic).

This sounds like the “certificate of merit” laws already in effect in some states, which generally require a third party expert to pass on the merit of the case.

Protect Patients Now believes that certificate of merit laws can be useful, but they are not a substitute for comprehensive reform and will not alone end the access to

care crisis that patients are facing across the country.

For once, Protect Patients Now actually agrees with the personal injury lawyer lobby. As Bill Schulz, spokesman for the American Association for Justice (formerly known as the Association of Trial Lawyers of America) so colorfully puts it, certificates of merit are “a kind of nothingburger.”

That's not surprising since, according to the Associated Press, “Edwards has received about \$7 million, or one third of his total fundraising, from donors who identify themselves as attorneys or lawyers.”

We urge Mr. Edwards and other candidates to look to proven remedies instead, most especially comprehensive reforms that include reasonable limits on non-economic damages. Read the full story on Edwards' proposals [here](#).

Texas Legislator Introduces National Reform Bill in Congress

Seeking to share his state's good fortune with the rest of the nation, Texas Congressman Michael Burgess introduced a comprehensive medical liability reform bill (that includes reasonable limits on non-economic damages) in the U.S. Congress earlier this month.

Our Chairman, Stuart L. Weinstein, MD, issued a statement hailing the legislation and called on Congress to pass it. "While the conditions in Texas continue to improve, many patients across the country still can't find the care they need....Time and again, the American people have voiced their overwhelming support for commonsense medical liability reform – and they are right...It's time for our elected representatives to listen and to protect patients now." Read the full statement by Stuart L. Weinstein, M.D. [here](#).

Dr. William W. Hinchey, President of the Texas Medical Association, couldn't agree more: "All Americans deserve to enjoy the benefits Texas has seen thanks to the eradication of our epidemic of health care lawsuit abuse." Read the Texas Medical Association's full press release [here](#).

Illinois on the Edge

Illinois' two-year old medical liability reforms are having a positive effect – patient access to quality medical care has been restored, the flight of doctors from the state has subsided, and hospitals are finding it easier to recruit physicians – but these pleasant days may soon be coming to an end.

That's because the personal injury lawyer machine has launched an attack in the Cook County courts, challenging the reform laws that received bipartisan support in the Illinois legislature. Unfortunately, challenges like this are not singular to Illinois. In fact, personal injury lawyers will stop at nothing to preserve the status quo at the expense of patients.

Protect Patients Now will stay on top of this story and keep our network posted on the results of this important battle, which will be decided sometime after the middle of next month. Read more about the cliff hanger in Cook County [here](#).

Mississippi on the Mend

This month, Mississippi medical liability insurers cut rates yet another time, adding up to a 45% reduction since that state's medical liability reforms went into effect in 2004. This is good news for patients and doctors, and also good news for economic growth in the hurricane-battered state, according to Mississippi Governor, Haley Barbour. Before reform, he says, "We had hospitals closing their delivery rooms. We had only one neurosurgeon between Jackson and Memphis."

Now the doctors are coming back – and so are the jobs. As the Mississippi State

Medical Association's Chairman, Dr. Randy Easterling, figures it, more doctors mean that more medical professionals, like pharmacists and nurses, stay in Mississippi. "Every physician represents 52 jobs in a community, so if you lost 10 physicians, you lose 520 jobs. If you lose 20 [doctors], you've lost a Nissan plant." Read the full story about improvements in Mississippi [here](#).

The EMS Shortage

Our nation's patient access to care crisis isn't only driving doctors out of practice. In Georgia, according to testimony before a state Senate committee, a growing shortage of emergency medical technicians is being caused by a perfect storm of high stress, low pay, and fears of medical liability suits. A recent survey found that one third of the state's Emergency Medical Services units have one or more unfilled EMT position, and more than half have an unfilled job for a paramedic. You may want to think twice before having that next medical emergency. Read the full story about Georgia's EMS shortage [here](#).

