



Sound Policy. Quality Care.

MEDICAL LIABILITY REFORM

REQUEST

The Alliance of Specialty Medicine urges Representatives to cosponsor the ***Accessible Care by Curbing Excessive lawsuits (ACCESS) Act*** (H.R. 3656) and requests Senators to cosponsor the ***Good Samaritan Health Professionals Act*** (S. 1350). These bills support meaningful medical liability reform that reduces growth in healthcare costs, stabilizes professional liability insurance premiums, preserves access to specialty care, and encourages physician engagement in meaningful quality improvement.

BILL SUMMARIES

Accessible Care by Curbing Excessive LawSuits (ACCESS) Act (H.R. 3656) – Introduced by Reps. Richard Hudson (R-NC), Roger Marshall, MD (R-KS), and Larry Buschon, MD (R-IN) the ACCESS Act includes proven medical liability reforms that would:

- Provide full compensation of medical and economic damages and up to an addition \$250,000 in noneconomic damages;
- Maximize the amount of any award that goes to injured patients by limiting attorney contingency fees;
- Resolve claims quickly with a reasonable statute of limitations;
- Prevent double recovery by accounting for evidence of collateral source benefits paid;
- Encourage physicians to apologize to patients who experience unanticipated medical outcomes; and
- Ensure that actual experts advise juries.

Good Samaritan Health Professionals Act (S. 1350) -- Introduced by Senators Bill Cassidy, MD (R-LA) and Angus King (I-ME), S. 1350 would extend federal liability protections to health professionals serving as volunteers who cross state lines to assist with the response to a national emergency or major disaster.

BACKGROUND

Our nation's medical liability system is broken — it costs too much, takes too long to resolve claims, and does not serve the needs of patients or physicians. Some states, including California and Texas, have implemented medical liability reforms that improved access to health care for patients, reduced runaway malpractice insurance premiums and created stable, predictable liability systems. For example, Texas experienced a physician shortage in rural and underserved areas, and these regions saw an influx of new doctors following reforms. The ACCESS Act builds on these successful state laws.

Many of the specialty physicians represented by the Alliance volunteer their time and skills to respond in times of crisis and ensure quality medical care is available. Unfortunately, various issues such as liability, licensing and credentialing, can delay or prevent medical service volunteers who cross state lines to assist with the response to a national emergency with adequate protection. Federal liability protection will address the inconsistencies in state laws and ensure health professionals can volunteer their expertise in times of need.

CONTACTS

ACCESS Act (H.R. 3656): To cosponsor, please contact Preston.Bell@mail.house.gov (Rep. Hudson).

Good Samaritan Health Professionals Act (S. 1350): To cosponsor, please contact Robert.Butora@mail.house.gov (Sen. Cassidy) or Patrick_O'Neil@king.senate.gov (Sen. King).