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May 4, 2018

The Honorable Lamar Alexander, Chair
Health, Education, Labor & Pensions Committee
United States Senate
428 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Patty Murray, Ranking Member
Health, Education, Labor & Pensions Committee
United States Senate
525 Hard Senate Office Building
Washington, DC 20510

The Honorable Richard Burr
United States Senate
217 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Robert P. Casey, Jr.
United States Senate
393 Russell Senate Office Building
Washington, D.C. 20510

Subject: "Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018"

Dear Chairman Alexander, Ranking Member Murray, Senator Burr, and Senator Casey:

On behalf of a diverse coalition of medical professionals and associations working to reduce medical lawsuit abuse and improve timely access to quality care, the Health Coalition on Liability and Access (HCLA) would like to thank you for giving us an opportunity to comment on the discussion draft of the *Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018*.

Over the past year, large-scale disasters have included the wildfires of California and the hurricanes and subsequent flooding of Texas, the Gulf Coast and Puerto Rico. These events highlight the need to ensure that disaster victims have adequate access to medical volunteers during their time of need. While we appreciate your inclusion of proposed language to enhance the *Emergency System for Advance Registration of Volunteer Health Professionals* and the *National Disaster Medical System*, we believe that additional language is needed to address inconsistencies in current federal and state laws that could subject medical volunteers to unjust medical liability lawsuits when they volunteer their services to disaster victims.

Legislation currently pending before the Health, Education, Labor & Pensions (HELP) Committee (and already approved by the House Energy & Commerce Committee), the *Good Samaritan Health Professionals Act*, addresses this issue by providing medical liability protection to volunteer health care professionals who treat victims of a federally-declared disaster. The bill removes the threat of lawsuits which may inhibit qualified individuals from volunteering while respecting existing medical liability laws in individual states. Additionally, the bill is narrowly tailored to apply its protections only to licensed health care providers, and does not apply to a health care professional if the harm caused was criminal or deliberate in nature. If enacted, we believe this legislation will ensure that an adequate

supply of trained health care professionals is ready, willing, and able to volunteer their services during a catastrophe, and that they will not be deterred or turned away due to the threat of lawsuits.

On behalf of our coalition members, and patients and medical professionals across the country, we urge you to add the *Good Samaritan Health Professionals Act* to the *Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018*. Doing so will expand on the outstanding work the HELP Committee has done over the years to implement programs that encourage volunteerism, while closing gaps in current statutes which may deter some health professionals from serving when tragedy strikes.

Sincerely,



Michael C. Stinson, HCLA Chair
PIAA



Katie Orrico, HCLA Vice Chair
American Association of Neurological Surgeons