

Sound Policy. Quality Care.

July 10, 2009

Honorable Bart Gordon 2306 Rayburn House Office Building Washington, DC 20515

Dear Representative Gordon:

As the Alliance of Specialty Medicine (Alliance), our mission is to advocate for sound federal health care policy that fosters patient access to the highest quality specialty care and improves timely access to high quality medical care for all Americans.

We applaud your continued attempts to highlight the medical liability crisis by introducing the "Medical Malpractice Alternatives Act of 2009" which seeks to encourage states to adopt liability reforms, limits liability for health care providers who volunteer across state lines in times of federally recognized emergencies, and provides liability protections for physicians providing care that is mandated by the Emergency Medical Treatment and Labor Act (EMTALA). And while the Alliance firmly believes that federal medical liability reform based on the California or Texas models, which include, among other things, reasonable limits on non-economic damages, is the gold standard, we appreciate your ongoing efforts to address this issue.

We strongly believe that any health care reform legislation must address our broken medical liability system. Medical liability reform will help achieve health system savings by reducing the incentives for defensive medicine and it will also protect physicians from unaffordable liability premiums. As you may be aware, President Obama stated in last fall's New England Journal of Medicine that he would be "open to additional measures to curb malpractice suits and reduce the cost of malpractice insurance." More recently, at the American Medical Association's Annual Meeting, the President also noted that we will not be able to implement changes in our health care delivery system that reflect best practices, incentivize excellence and close cost disparities "if doctors feel like they are constantly looking over their shoulder for fear of lawsuits." We therefore appreciate your recognition that comprehensive health care reform must include medical liability reform.

Medical liability reform is essential to protecting American's access to quality, efficient and timely health care. We look forward to working closely with you to encourage that medical liability is included in health care reform.

Sincerely,

American Association of Neurological Surgeons
American Association of Orthopaedic Surgeons
American Gastroenterological Association
American Society of Cataract and Refractive Surgery
American Urological Association
Coalition of State Rheumatology Organizations
Congress of Neurological Surgeons
Heart Rhythm Society
National Association of Spine Specialists
Society for Cardiovascular Angiography and Interventions