

March 22, 2017

The Honorable Paul Ryan
Speaker
U.S. House of Representatives
The Capitol, H-232
Washington, D.C. 20515

Dear Speaker Ryan:

The organizations listed below are strong supporters of H.R. 548, the "Health Care Safety Net Enhancement Act of 2017," and we urge you to include these protections in any medical liability reform legislation considered by the House of Representatives.

Providing emergency medical care to patients is extremely difficult and places physicians who provide this lifesaving care in great professional jeopardy. The patients we treat in these circumstances have serious injuries or illnesses, we have little or no relationship with them and there is a limited (at best) ability to access their medical history. For these reasons, emergency and other on-call physicians have much higher liability exposure and subsequent premiums.

Providing liability protection to physicians for the federally-mandated EMTALA services they render will help ensure emergency and on-call physicians remain available to treat patients in their communities. Otherwise, we will continue to see sharp declines in on-call specialist availability and the relocation of emergency physicians to areas of the country where the liability environment is more favorable.

The "Health Care Safety Net Enhancement Act" will encourage physicians and on-call specialists to continue their lifesaving work and ensure emergency medical care will be available when and where it is needed. Specifically, the legislation addresses the growing crisis in access to emergency care by providing emergency and on-call physicians who perform EMTALA-related services with temporary protections under the Federal Tort Claims Act.

EMTALA, the "Emergency Medical Treatment and Labor Act," is a federal law enacted in 1986 that requires hospital emergency departments and its physicians to provide a medical screening exam for all patients, regardless of their insurance status or ability to pay. If an emergency medical condition is discovered, then appropriate medical treatment must be provided on-site or the patient is transferred to a facility that could provide the necessary treatment.

During the 112th Congress, the House approved identical legislation by voice vote as an amendment to H.R. 5, the "Protecting Access to Healthcare Act," and we urge the House to take similar action this Congress.

American Association of Neurological Surgeons
American College of Emergency Physicians
American College of Surgeons
American Congress of Obstetricians and Gynecologists
American Society of Anesthesiologists
Congress of Neurological Surgeons