

AMERICAN ASSOCIATION OF
NEUROLOGICAL SURGEONS

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American
Association of
Neurological
Surgeons



Congress of
Neurological
Surgeons

CONGRESS OF
NEUROLOGICAL SURGEONS

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President
CHRISTOPHER I. SHAFFREY, MD
Durham, North Carolina

President
GANESH RAO, MD
Houston, Texas

July 29, 2019

The Honorable Bill Flores
U.S. House of Representatives
2228 Rayburn House Office Building
Washington, DC 20515

The Honorable Roger Marshall, MD
U.S. House of Representatives
312 Cannon House Office Building
Washington, DC 20515

The Honorable Brian Babin, DDS
U.S. House of Representatives
2236 Rayburn House Office Building
Washington, DC 20515

Subject: AANS/CNS Endorsement of H.R. 3984, the Health Care Safety Net Enhancement Act

Dear Representatives Flores, Marshall and Babin:

On behalf of the American Association of Neurological Surgeons (AANS) and the Congress of Neurological Surgeons (CNS), we are pleased to support your legislation, H.R. 3984, the Health Care Safety Net Enhancement Act of 2019.

If enacted, this legislation will help ensure that patients have access to emergency care by extending liability protections to on-call and emergency physicians through the Federal Tort Claims Act. Specifically, the bill would ensure that emergency department and on-call physicians who are providing medical services under the Emergency Medical Treatment and Labor Act (EMTALA) receive the same liability coverage currently extended to employees of Community Health Centers and health professionals who provide Medicaid services at free clinics.

As on-call specialists, neurosurgeons perform lifesaving feats every day, often making quick, life-and-death decisions with minimal information about the patient. This lifesaving care is inherently risky and exposes these specialists to an increased likelihood of litigation because emergency and trauma patients are often sicker, have more serious complications and usually have no pre-existing relationship with the emergency physician or the on-call specialist. Unfortunately, the risk of being sued and the increased professional liability costs — which are far higher than for those who do not provide such care — may reduce the availability of on-call specialists who cover fewer emergency departments than is necessary.

Congress must act now to protect access to emergency care for all Americans, insured and uninsured alike. We thank you for your continued leadership and look forward to working with you to pass this important legislation.

Sincerely,

Christopher I. Shaffrey, President
American Association of Neurological Surgeons

Ganesh Rao, MD, President
Congress of Neurological Surgeons

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