

AMERICAN ASSOCIATION OF
NEUROLOGICAL SURGEONS

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CONGRESS OF
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ALI R. REZAI, MD
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May 22, 2013

The Honorable Roy Blunt
United States Senate
260 Russell Senate Office Building
Washington, DC 20510

Dear Senator Blunt,

On behalf of the American Association of Neurological Surgeons (AANS) and Congress of Neurological Surgeons (CNS), we are pleased to support your legislation, S. 961, the Health Care Safety Net Enhancement Act of 2013.

The Health Care Safety Net Enhancement Act of 2013 will address the growing crisis in access to emergency care by extending liability coverage to on-call and emergency physicians through the Federal Tort Claims Act. Specifically, the bill would ensure medical services furnished by a hospital, emergency department, physician or on-call provider under contract with a hospital or emergency department pursuant to 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 high-risk of being sued and the increased professional liability costs — which are far higher than for those who do not provide such care — have reduced the pool of on-call specialists to dangerously low levels.

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

Sincerely,

William T. Couldwell, MD PHD, President
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Ali R. Rezai, MD, President
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