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EXECUTIVE VICE PRESIDENT, CEO

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January 31, 2018

The Honorable Joseph F. Vallario, Jr., JD  
Chair  
Judiciary Committee  
Maryland House of Representatives  
101 House Office Building  
6 Bladen Street  
Annapolis, MD 21401

Re: AMA opposition to Maryland House Bill 289

Dear Chair Vallario:

On behalf of the American Medical Association (AMA) and our physician and student members, I am writing to urge you to **oppose House Bill (HB) 289**. HB 289 would triple Maryland's cap on non-economic damage awards in medical liability cases, where a court or arbitration panel rules that a "catastrophic injury" has occurred. Medical liability is a crucial issue, and HB 289 offers to significantly weaken the liability climate for Maryland patients and physicians.

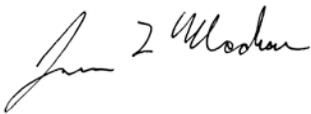
The current medical liability system adversely affects patients in many ways. It reduces patients' access to health care – particularly high risk procedures. It hinders patients' communication with their physicians. It adds to the cost of patients' health care expenses, and it forces patients to go through additional tests and procedures due to a system that encourages physicians to practice defensive medicine.

Passage of HB 289 would likely add thousands of dollars to the average annual medical liability insurance premium and thereby make the practice of medicine increasingly unaffordable for physicians. Weakening the business climate for Maryland's physicians risks driving physician practices out of business and out of the state. With physicians contributing to 10.8 percent of the Maryland economy through support of 213,060 jobs and generation of \$39.5 billion in total economic activity, the health of both Maryland's citizens and economy depend on it.

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The AMA thanks you for the opportunity to submit these comments. Based on all of the above, we strongly urge you to **oppose HB 289**. If you have any questions, please contact Kristin Schleiter, JD, Senior Legislative Attorney, Advocacy Resource Center, at [kristin.schleiter@ama-assn.org](mailto:kristin.schleiter@ama-assn.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Jim L Madara". The signature is written in a cursive style with a large initial "J" and "M".

James L. Madara, MD

Attachment

cc: MedChi, The Maryland State Medical Society  
Willarda V. Edwards, MD, MBA