

January 15, 2021

The Honorable J.B. Pritzker
Governor
State of Illinois
State Capitol Room 207
Springfield, IL 62706

Re: Illinois House Bill 3360 – veto

Dear Governor Pritzker:

On behalf of the American Medical Association (AMA), and our physician and student members, I am writing to express the AMA's strong opposition to **House Bill (H.B.) 3360**, which would require the payment of prejudgment interest in medical liability and other civil actions. The AMA opposes this punitive legislation because it disrupts the liability climate for Illinois patients and physicians and hurts the Illinois economy at a time when that economy, particularly small businesses, are already under duress. **For these reasons we strongly encourage you to veto H.B 3360.**

The current medical liability system already adversely affects patients in many ways. For example, it can lead physicians to alter or limit the scope of their practices. This is particularly true for high-risk specialists like obstetricians/gynecologists and general surgeons, nearly all of whom will likely face a liability claim at some point in their careers. It reduces patients' access to health care – particularly high-risk procedures. Finally, it impacts where physicians practice – physician supply is more plentiful in areas where physicians are under less pressure from the liability system.

Enacting H.B. 3360 would be bad for patient access to care by making the medical liability system worse than it already is. To preserve patient access, especially during a pandemic, nothing should be done to make it more difficult to maintain an Illinois practice or discourage physicians from coming to Illinois. Unfortunately, enacting H.B. 3360 would do just that by exposing physicians to financial burdens, burdens over which they may have little or no control. Even in normal circumstances, it can take years for many cases to settle or wind their way through the courts. The pandemic has significantly delayed pending cases, and it is highly likely that the pandemic's negative effect on the efficient resolution of medical liability and other civil cases will stretch well into the future. During all this time, the interest adds up and the financial burden mounts. The consequence is that practicing in Illinois will become more difficult financially and less attractive, which may threaten the timely access to care that Illinoisans deserve.

The Honorable J.B. Pritzker

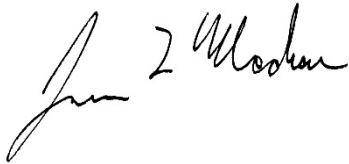
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Finally, enacting H.B. 3360 would also be detrimental to the Illinois economy. Physicians contribute greatly to the Illinois economy. Physicians amount to 9.5 percent of the Illinois economy through support of nearly 396,856 jobs and generation of 73.2 billion in total economic activity. And as you know, a physician's impact is felt far beyond the exam room, reaching through local communities, producing a network of jobs, and spurring local investment. For example, Illinois' physicians are significant economic drivers, with each physician on average creating \$2.4 million in economic output, supporting 13.1 jobs, \$1.2 million in wages and benefits, and contributing \$99,967 in state and local tax revenues. Therefore, keeping the liability climate, and in turn, the practice environment, for Illinois' physicians stable will not only build the physician workforce and ensure patient access to care, but will also drive Illinois' state and local economies.

Based on all of the above, we strongly urge you to **veto H.B. 3360**. If you have any questions, please contact Wes Cleveland, JD, Senior Attorney, Advocacy Resource Center, at wes.cleveland@ama-assn.org.

Sincerely,

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

James L. Madara, MD

cc: Illinois State Medical Society