



JAMES L. MADARA, MD  
EXECUTIVE VICE PRESIDENT, CEO

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January 26, 2017

The Honorable Robert A. Zirkin, JD  
Maryland State Senate  
Miller Senate Office Building, 2 East Wing  
11 Bladen Street  
Annapolis, MD 21401

Re: AMA opposition to Maryland Senate Bill 225

Dear Chair Zirkin:

On behalf of the American Medical Association (AMA) and our physician and student members, I am writing to urge you to **oppose Senate Bill (SB) 225**. SB 225 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 reform is a crucial issue, and SB 225 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 SB 225 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.

The AMA thanks you for the opportunity to submit these comments. Based on all of the above, we strongly urge you to **oppose SB 225**. 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) or (312) 464-4783.

Sincerely,

James L. Madara, MD

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



letter due by Thurs Jan. 26

DATE: 1-23-17

EXECUTIVE OFFICES  
Transmittal Note

TYPE OF CORRESPONDENCE:

ADDRESSED TO:

- Letter
- Mass Mailing
- Memo
- Other

Robert A. Zink JD  
Chair, Maryland State Senate

SUBJECT: (Title and short description of document purpose.)

AMA letter opposing MD SB 226 - CAP on non-economic damages award in medical liability cases

**INSTRUCTIONS - STAFF INITIATED DOCUMENTS FOR BOT SIGNATURE:**

- 1) Do not date document.
- 2) Include in folder, original and 2 copies.
- 3) **All appropriate approvals must be obtained prior to submitting to Jon Burkhardt, COS, VP, Executive Offices.**
- 4) Your department will be contacted when item has been signed.

**INSTRUCTIONS - DOCUMENTS FOR EVP/CEO SIGNATURE:**

- 1) Item must be dated.
- 2) Include in folder, original response, 2 copies and 1 copy of the original correspondence if applicable.
- 3) **Appropriate approvals must be obtained before submitting to EVP Office.**
- 4) The department preparing item is responsible for coordinating, if necessary, all additional approvals and comments before submission to EVP Office.
- 5) Your department will be contacted when item has been signed by the EVP/CEO.

APPROVALS:

- 1) Author Kristin Schleyer Extension 4783
- 2) Immediate Supervisor [Signature]
- 3) SVP or Designate Richard Deem MR

**DOES THE ATTACHED ITEM REQUIRE ADDITIONAL APPROVAL OR REVIEW BY OTHERS?**

ADDITIONAL APPROVALS:

COMMENTS: (Attach additional information if needed.)

- Advocacy \_\_\_\_\_
- Finance \_\_\_\_\_
- OGC J. Healy 1-24-17
- Other SMG \_\_\_\_\_
- Other SMG \_\_\_\_\_
- Other SMG \_\_\_\_\_

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When approved, please call Wendy Holmes Extension 4739

FOR EXECUTIVE OFFICES USE ONLY

- COO \_\_\_\_\_
- CSO \_\_\_\_\_
- COS \_\_\_\_\_
- Executive Offices [Signature] 1/25/17
- EVP/CEO [Signature] 1/25/17

If you have any questions, please contact the Executive Offices at extensions 5049 or 4307.