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April 11, 2013

The Honorable Phil Gingrey, MD
U.S. House of Representatives
442 Cannon House Office Building
Washington, DC 20515

Dear Dr. Gingrey:

On behalf of the physician and medical student members of the American Medical Association (AMA), I am writing in support of H.R. 1473, the "Standard of Care Protection Act of 2013." This bill would protect physicians and other health care providers from new liability exposure resulting from national care and practice standards or guidelines derived from the "Patient Protection and Affordable Care Act" (ACA) and federal programs. In addition, the bill preserves state medical liability laws.

The ACA included multiple provisions concerning the establishment and implementation of national care and practice standards and guidelines for health care providers. H.R. 1473 makes it clear that the care standards and guidelines detailed in the ACA as well as federal programs cannot be used to create new causes of legal action against physicians providing care to their patients, nor do they supersede state liability laws. Physicians should not have to worry about potential new causes of action or liability exposure in an age of developing and implementing new ways to improve the quality and efficiencies of care.

The AMA strongly supports comprehensive medical liability reforms, including reasonable limits on non-economic damages, which have a proven track record of success in states like California and Texas. We believe that your legislation is necessary because it addresses critical gaps in the ACA and federal programs by providing needed legal protections to physicians for using standards, guidelines, and/or their clinical judgment to meet the particular medical care and needs of their patients.

The AMA appreciates your commitment to improving our nation's medical liability system, and we look forward to working with you to advance this legislation.

Sincerely,

A handwritten signature in black ink, which appears to read "James L. Madara". The signature is written in a cursive, flowing style.

James L. Madara, MD