

November 27, 2013

The Honorable Pat Toomey
United States Senate
248 Russell Senate Office Building
Washington, DC 20510

Dear Senator Toomey:

On behalf of the physician and medical student members of the American Medical Association (AMA), I am writing to express our support of S. 1769, the “Standard of Care Protection Act.” This legislation would shield health care providers from new liability exposure resulting from national care and practice standards or guidelines under Medicare, Medicaid, and the Patient Protection and Affordable Care Act (ACA).

Under new quality programs, physicians are required to report on numerous care and practice standards and guidelines that seek to collect information on health care services and treatments. S. 1769 makes it clear that these standards and guidelines cannot be misconstrued to create new causes of legal action against physicians. Importantly, the Standard of Care Protection Act clarifies that physicians should not have to worry about liability exposure when they are seeking to improve the quality and efficiencies of care. The bill also preserves state medical and product liability laws that may already provide important protections for physicians.

The AMA strongly supports comprehensive medical liability reforms, including reasonable limits on noneconomic damages and other key protections, which have a proven track record of success in states like California and Texas. We believe that your legislation is a necessary step towards enacting appropriate legal protections that preserve a physician’s clinical judgment.

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

Sincerely,

James L. Madara, MD