

The Battle to Protect Medical Liability Reform; Trial Lawyers' PAC Efforts Pay Off

SUPPORT HAPAC, STOP VENUE SHOPPING

Providers
MUST raise
dollars to support
champions who
will fight venue
shopping

Can you
afford higher
medical
liability rates?

Can your
community
afford to
lose access
to health
care?

During December 2018, the Civil Procedural Rules Committee of the Pennsylvania Supreme Court proposed a rule change that would rescind 2002 medical liability reform and allow for the return of "venue shopping." Personal injury attorneys could once again move claims to counties that have a history of awarding higher payouts to plaintiffs, thus increasing their take.

Behind the scenes, a strategic and patient trial bar has slowly and successfully been working to change the face of the state Supreme Court, to build a court and a rules committee that sees the world the way that it does.

HAPAC
POLITICAL ACTION COMMITTEE

March, 2019

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A return to venue shopping means:

- **Increased medical liability insurance rates**, which will make Pennsylvania a less attractive place for physicians, nurse practitioners, and midwives to practice
- **Access issues for patients**, due to difficulties in recruiting and retaining physicians and other health care practitioners
- **Increased health care costs** for businesses, consumers, and government payors

During 2002, HAP and a strong stakeholder coalition secured support from the executive, legislative, and judicial branches to adopt a law and rule requiring that medical liability claims only be filed in the county where the alleged medical error occurred. This reform was key to restoring stability to the medical liability system.

WE MUST FIGHT BACK Protect medical liability reforms

DID YOU KNOW...?

- Half of the money coming from lawyers—about \$1.9 million out of \$4 million—came from the Committee for a Better Tomorrow, the political action committee of the Philadelphia Trial Lawyers Association¹
- The Civil Procedural Rules Committee has five lawyers, including its chair, who work at firms that file medical malpractice cases in Pennsylvania²
- Since 2016, half of the committee's openings have been filled with plaintiffs lawyers³

WHAT HOSPITALS MUST DO

HAPAC must raise money to support legislative and judicial champions who can continue speaking out about this issue during 2019. With Supreme Court justices and a rules committee inclined to unravel medical liability reforms.

HOSPITALS MUST BE HEARD

Give early, engage your senior team, and run a HAPAC campaign



References

¹ November 3, 2015, Eric Holmberg in the PublicSource "For lawyers, by lawyers: The money behind the race for PA Supreme Court"

² [This Pennsylvania Committee Is Proposing Changes That Benefit Five Of Its Members' Law Firms](#), Forbes, February 19, 2019

³ Ibid.