

Patients and Providers to **PROTECT ACCESS & CONTAIN HEALTH COSTS**

Trial lawyers and their allies have filed a proposed ballot measure that will make it easier for lawyers to pursue meritless lawsuits against health care providers and to generate more legal fees for themselves. Currently, the Medical Injury Compensation Reform Act (MICRA) provides unlimited awards for economic damages, medical bills and punitive awards. The trial lawyer sponsored initiative would change MICRA to increase the cap on speculative, non-economic damages from the current \$250,000 to nearly \$1.1 million adding hundreds of thousands of dollars in awards for trial attorneys. While the measure contains other “window dressing” provisions, there is no doubt the main goal of the trial lawyers is the MICRA change. A broad coalition of health care professionals, doctors, Planned Parenthood, community clinics, nurses, hospitals, EMTs, labor unions, local governments, employer groups and others know that MICRA works and oppose the trial lawyer changes. This is why:

This Measure Will Raise Costs for Millions of Health Consumers and Taxpayers:

- More lawsuits mean higher health care costs for patients and providers – everyone will pay more.
- The independent and non-partisan Legislative Analyst’s Office has reported that this measure could potentially increase costs for state and local taxpayers by hundreds of millions of dollars annually.
- Raising MICRA’s cap on non-economic damages, which is what this measure is really about, will dramatically increase operating costs for those who provide health care services - doctors, community health clinics, hospitals and others and could be forced to cut back services or close altogether.

This Measure is About Making More Money for Trial Lawyers:

- This measure is being funded by trial lawyers and their allies so they can make more money suing health care professionals – period.
- The real motive behind this measure is to increase the current limit on attorneys’ fees, allowing trial attorneys to triple their fees from jury awards. The rest is window-dressing.
- Under this measure, trial lawyers will profit at the expense of nearly everyone else. If it passes, health care costs will go up and health care access and patient care options will go down.
- That’s why health care professionals from doctors to nurses, emergency room physicians, OB/GYNs, hospitals, Planned Parenthood, community

health centers, and hundreds of other health care organizations oppose this measure.

This Measure Will Reduce Access to Health Care Services:

- This measure will lead to reduced access to our health care professionals -- and fewer options for affordable, quality health care -- especially in rural and underserved communities.
- With federal health care reform expanding coverage for millions of additional patients, California is already struggling to provide access to care for the neediest and most vulnerable patients. This will make the situation worse.
- This measure will create even longer lines in emergency rooms, extended waits for appointments with specialists, and reduced access to women's services like OB/GYNs.
- This measure will make health care professionals including doctors, nurses and other providers less accessible -- not more accountable.

Californians Do Not Want to Weaken MICRA:

- The public supports MICRA. According to a recent poll conducted by Californians Allied for Patient Protection, nearly 2/3^{rds} of voters support the law.
- The Governor and Legislature passed MICRA to control the rapidly increasing cost of doctors' medical malpractice insurance, which was threatening access to health care because medical lawsuits were rampant.
- MICRA enforces limits on the amount of fees that lawyers can take as payment for representing an injured patient, so that patients -- not lawyers -- receive more.
- Under MICRA, payments to patients have gone up at more than twice the rate of inflation.

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