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NEWS

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Senate Passage of Lawsuit Caps Good First Step

Harrisburg, PA – The Pennsylvania Health Care Association (PHCA) today said the Pennsylvania Senate’s passage of medical malpractice lawsuit cap legislation last week is a good first step that merits support from the House of Representatives and from Governor Edward G. Rendell.

“We recognize it was a major challenge to pass medical malpractice legislation that changes the state Constitution, and the Senate must be commended for moving one step closer towards protecting seniors’ access to quality long term care,” said Alan G. Rosenbloom, President and CEO of PHCA. “We urge the House of Representatives to continue the positive momentum by passing this measure that makes necessary changes to the state Constitution.”

Rosenbloom noted PHCA is appreciative of past efforts by the General Assembly and Governor Rendell to bring about the reforms necessary to protect seniors’ access to quality care, but he indicated this will only occur by passing an amendment to the state constitution capping jury awards on non-economic damages.

“We have reluctantly concluded that until a Constitutional amendment is in place, there will not be real medical malpractice reform that makes a difference in the lives of vulnerable elderly patients,” he continued.

The PHCA President and CEO noted that, as with doctors and hospitals, long term care providers throughout the Commonwealth face a crisis in both the availability and affordability of professional liability insurance. But unlike doctors and hospitals, however, the relatively modest loss experience of long term care providers does not warrant the dramatic increases in insurance costs: 250% increases in primary rates from 1996 to 2000; annual increases in primary rates of as much as 500% in 2001, 2002 and 2003; and, CAT Fund/MCare Fund assessment increases of 100% or more in many regions of the Commonwealth in 2002 and 2003.

With the second highest senior population in the nation, Rosenbloom said Pennsylvania will continue to be among the states most adversely impacted by the growing malpractice crisis unless it is finally resolved via the constitutional amendment process.

PHCA is a statewide membership services organization representing more than 325 long-term care and senior service providers throughout the Commonwealth. Additional information about PHCA is available by calling 717-221-1800 or visiting www.phca.org.

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