

HELP US DEFEAT SENATE BILL 164

IMMEDIATE ACTION REQUIRED – Physicians Rally Against Malpractice Bill

Colorado trial lawyers (CTLA) submitted a bill that reverses Colorado's tort laws. SB 164 will RAISE THE CAP on non-economic damage by 50% from \$300,000. to over \$460,000. It removes damages for physical disfigurement & impairment from the non-economic cap entirely, opening the door for much larger jury verdicts & the virtual certainty that the \$1 million cap will be pierced more often. We estimate that physicians' malpractice premiums will increase by 12-14% if this bill passes!

SB 164 narrowly passed the Senate and has stalled in the House due to widespread opposition - our focus is on our Representatives who are undecided about this important bill!

WHAT TO DO:

YOU or your STAFF immediately call these Representatives and urge them to "VOTE NO ON SB 164". Request a brief meeting/conference call.

Rep. Jack Pommer: 303-866-2780, email: jack.pommer.house@state.co.us

Rep. Dianne Primavera: 303-866-4667, email: dianne.primavera.house@state.co.us

Rep. Paul Weissman: 303-866-2920, email: reppaul@aol.com

WHAT TO SAY - "VOTE NO ON SB 164":

- 1) Physicians empathize w/injured patients & believe strongly that any patient injured by negligence should be compensated fairly. But this bill is NOT in the best interests of Colorado patients.
- 2) This bill will increase costs and reduce access to care, especially in rural areas and for specialties such as OB, emergency medicine, surgery and others. Why, at a time when we are trying to reduce costs and expand access to care, would we enact a law that will have the exact OPPOSITE effect?
- 3) Over 130 health care and business organizations are on record opposing this bill and editorials have appeared around the state denouncing it. The only organization on record in support of SB 164 is the Colorado Trial Lawyers Assoc.
- 4) Rather than jeopardize Colorado's stable medical liability climate with a bill that has not received thoughtful consideration from all parties, Colorado physicians suggest that the state legislature create a multi-stakeholder task force to examine the broad spectrum of issues related to professional liability, such as medical errors, patient safety, and full and just compensation for injured patients. We need a system that will preserve access to care and treat injured patients timely and fairly.
- 5) Add any specifics you can about the impact of this bill on your own practice and the delivery system in your community. The more localized your comments, the more impact.