

Four-in-Five Americans Concerned that Excess Litigation Could Compromise Health Care Access

Three-quarters of Americans Favor Health Care Liability Reforms Contained in HR 4600
Health Care Liability Alliance Calls on Congress to Pass the HEALTH Act

WASHINGTON, DC — The title of a hearing to be held tomorrow in a House Judiciary Committee subcommittee poses the question "Does Limitless Litigation Restrict Access to Health Care?" New research shows that the majority of Americans would answer with a resounding "YES."

An independent poll conducted for the Health Care Liability Alliance (HCLA) indicates that Americans are increasingly concerned about the frequency and severity of medical liability lawsuits. Furthermore, they agree that litigation is one of the primary factors behind rising medical costs and reduced access to care.

By overwhelming margins, the HCLA poll shows, Americans favor legislative reforms such as limiting trial lawyers fees and guaranteeing patients full payment for medical expenses and lost wages while placing reasonable controls on awards for non-economic damages, such as "pain and suffering". The poll results are consistent with the results of polls previously commissioned by the HCLA.

"Today, across the nation, more and more providers are grappling with skyrocketing insurance rates that may jeopardize health care services in their communities," said Christian Shalgian, chairman of the HCLA. "Over and over again polls have demonstrated that the American public wants Congress to pass medical liability reform. These reforms, which are contained in H.R. 4600, will assure patients continued access to the health care professionals they need, now and in the future."

The poll found most Americans believe...

- **Lawsuits Hinder Access To Medical Care** – Nearly four out of five Americans (78%) express concern that skyrocketing medical liability costs could limit their access to care, as doctors in many parts of the country, particularly those providing specialized care, scale back services or abandon their practices.
- **Too Many Lawsuits** – Nearly half of Americans (48%) believe the number of malpractice lawsuits against health care providers is "higher than is justified" compared to just 17% who said the number of claims is "lower than is justified."
- **Lawsuits Cause Medical Costs To Rise** – More than seven out of 10 Americans (71%) agree that medical liability litigation is one of the primary forces driving up health care costs.
- **Congress Should Limit Awards for Non-Economic Damages** – By a wide margin (73% to 26%) Americans favor a law that would guarantee injured patients full payment for lost wages and medical costs, and place reasonable limits on awards for "pain and suffering" in medical liability cases.
- **Congress Should Limit Buck-Raking By Trial Lawyers** – More than three-quarters of Americans (76%) favor a law limiting the percentage a trial lawyer can collect in a settlement or award from a medical liability case, including an overwhelming 80% of Americans between the ages of 35-64.

The poll was conducted in April 2002 for HCLA by Wirthlin Worldwide and has a margin of error is +/- 3.1 percentage points at a 95% confidence level.

For more details, visit www.hcla.org. The Health Care Liability Alliance is a national advocacy coalition of more than three dozen organizations representing doctors, hospitals, health care insurers, producers of medicines and health care consumers. HCLA believes federal legislation is needed to bring fairness, timeliness and cost-efficiency to America's medical liability system.