



LAFP

Legislative Alert

Stop Medical Malpractice Increase !!!

TAKE ACTION NOW!!

[HB 224](#) by Rep. Edwards proposes to drastically increase the cost of medical malpractice coverage in Louisiana to which we **strongly oppose**. The bill is scheduled for Monday, June 1st at 10:00 A.M. in the House Committee on Civil Law and Procedure in House Committee RM 2.

HB 224, as written:

- 1 Would increase the amount of non-economic damages from \$500,000 to \$750,000;
- 2 Would add a cost of living increase annually based on the Consumer Price Index of no more than a four percent increase or decrease
- 3 Would increase the primary layer of financial responsibility;
- 4 Would remove the cap on economic damages; and
- 5 Future non-economic damages would remain uncapped

Talking points:

- 1 Increases the Medical Malpractice limitation of liability cap from \$500,000 to \$750,000
- 2 Excludes economic damages (including loss of earnings, loss of capacity and loss of support and services) from the limitation
- 3 Increases primary layer of physician responsibility from \$100,000 to \$150,000
- 4 Increases the primary layer for self-insureds from \$125,000 to \$175,000
- 5 Adjusts annually the limitations based on the U.S. Consumer Price Index by no more than 4% increase or 4% decrease
- 6 There is no evidence that increasing the cap will reduce medical errors or add any appreciable long-term benefit to the victims of bad medical outcomes. It will, however, increase the dollar amount available to the plaintiff's lawyers. Note that plaintiff lawyers cannot attach/take a percentage of future medical expenses, only the "up front" award.
- 7 The inevitable increase in malpractice insurance caused by passing this legislation has already been shown to reduce the number of practicing physicians in states that have no caps.

Please contact the members of the House Committee on Civil Law and Procedure and urge them to vote in **opposition to HB 224.**

E-mail addresses for the House Members on the Civil Law and Procedure Committee: (cut and paste into the Send To:) [Rep. Tim Burns](#); [Rep. Greg Cromer](#); [Rep. Neil Abramson](#); [Rep. Richard Burford](#); [Rep. Charles Chaney](#); [Rep. John Edwards](#); [Rep. Greg Ernst](#); [Rep. Walker Hines](#); [Rep. Robert Johnson](#); [Rep. Nancy Landry](#); [Rep. Fred Mills](#); [Rep. Clifton Richardson](#); [Rep. Tom Willmott](#)

House Switchboard: Phone 225.342.6945 • Fax 225.342.8336