



March 23, 2017

The Honorable Steve King
United States House of Representatives
Washington, D.C. 20515

Dear Representative King:

On behalf of the 124,900 physicians and medical students nationwide who are members of the American Academy of Family Physicians, I am writing you to express our support for H.R. 1215, the Protecting Access to Care Act of 2017. The AAFP has long favored reducing liability insurance premiums and the costs of defensive medicine by enacting key provisions modeled on California's highly effective liability reforms. Your legislation contains policies supported by AAFP including:

- A hard cap on non-economic damages;
- Limits on attorneys' contingency fees;
- A requirement both that juries are informed of prior insurance payments to patients and that awards are reduced by the amount of compensation from collateral sources;
- Replacement of joint and several liability with proportionate liability, so each party would pay a share of a malpractice award based on the proportion for which he or she is liable;
- The allowance of periodic payments of future damages at a defined award limit.

At the same time, it protects those states that have enacted effective reforms, and provides substantial flexibility to adopt variations of these reforms in order to meet their unique circumstances.

The AAFP was founded in 1947 to promote the interests of family physicians and their patients. Family physicians are dedicated to treating the whole person. These residency-trained, primary care specialists provide a wide variety of clinical services. And because of their focus on prevention, primary care and overall care coordination, they are able to treat illnesses early and, when necessary, refer their patients to the right specialist and advocate for them.

The current medical liability system fails both patients and health care providers. Liability reform must more equitably and quickly compensate those truly injured in the course of medical care without needlessly diverting health care dollars. By reducing liability insurance premiums and exorbitant legal fees associated with litigation and by ending the need to practice defensive medicine, we can decrease the cost of health care.

We look forward to working with you to advance your legislation.

Sincerely,

Wanda D. Filer, MD, MBA, FAAFP
Board Chair

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