



Buyers Up • Congress Watch • Critical Mass • Global Trade Watch • Health Research Group • Litigation Group
Joan Claybrook, President

April 6, 2004

Re: Oppose S. 2207 – Medical Malpractice

Dear Senator:

We write urging you to oppose S. 2207, yet another bill designed to restrict rights of victims of medical malpractice on the false pretext of “ensuring access to care.”

In this case, sponsors contend that malpractice lawsuits restrict access to trauma care. As the attached fact sheet shows, five states supposedly experiencing a “malpractice crisis” are actually among the top ten in the number of trauma centers per capita.

What’s more, four of the six states the American Medical Association says are “currently OK” have fewer than the recommended number of trauma centers. Two of those states, Indiana and Wisconsin, have no formal trauma systems at all. In a third, New Mexico, trauma care has been eviscerated by doctors leaving the state—even as the AMA claims that doctors are migrating into that state from others.

Baton Rouge in Louisiana, and Santa Paula and Palm Springs in California, have all experienced losses of trauma care in spite of the toughest damage cap laws in the nation.

Another attachment highlights the results of our fact-checking of AMA “horror stories” about doctors leaving their practices in two so-called “crisis” states. Many of the anecdotes turn out to be false or exaggerated.

The Senate needs to address the real problems that threaten access to care—too many uninsured, declining reimbursements, lack of doctors in rural and inner-city areas, and the defection of surgeons to doctor-owned specialty hospitals. Most of these problems could be resolved by instituting a single-payer universal health insurance program.

Yours truly,

Joan Claybrook
President,
Public Citizen