

2017 Take Back Kentucky Legislative Action Alert
Oppose: SB 4 - Medical Review Panels
Alert Date: 1/4/2017
Phone #: 1-800-372-7181

Sponsor(s): Sen. Ralph Alverado
Status: Posted in Senate Committee
Committee: Senate Health and Welfare
Committee Members: [http://www.lrc.ky.gov/Committee/standing/Enroll\(S\)/members.htm](http://www.lrc.ky.gov/Committee/standing/Enroll(S)/members.htm)
Committee Room #:
Timeframe: NOW
Message is for: Senate Leadership The Committee Members Your Senator
Message: **Vote No on SB 4, don't limit patients rights**
Optional: Email, write, or visit a legislator. Testify in committee.
Bill Info: **Cronyism** Supposed tort reform for medical malpractice

According to the calendar for 1/4/2017 there were supposed to a committee hearing on this bill today, and sail through. However, it appears that effort has been slowed with some amendments that will need to be addressed. Yet at the same time the Hearld Leader has an article about votes being taken, but this bill is not recorded as passing favorably out of committee. With this being a short week before their short session break for the rest of the month, there may be a suspension of rules to get this bill passed, as it has been an issue Senate Republicans have been trying to pass for several sessions now. However, we at TBK have some pretty major concerns about this bill, which we will give to you in brief:

1. Premise of tort reform seems focused on Doctors' lawsuits and malpractice insurance premiums, not patient quality of care.
2. Malpractice insurance premiums are not necessarily affected by lawsuits as much as by legal culture (an unchageable in each state - Florida is covered in tort reform and still has the highest insurance premiums, whereas Minnesota is hardly regulated and has the lowest).
3. The best way to reduce malpractice payouts is to increase quality of care ("patient safety").
4. The rising cost of healthcare is hardly affected by the indirect cost of malpractice premiums.
5. Doctors get to choose a panel member, who then can pick a second member of the 3-vote panel. Multiple other details leave the door open for corruption or cronyism.
6. Voting panel members get 6 months to review a case and are paid \$350 total. No successful practicing doctor has time to devote to nearly-charity cases. (Resulting in very little time or attention given to the case to form an "expert opinion".)
7. Panel conclusion would be admissible in the actual malpractice case as expert testimony.
8. Actual obviously frivolous lawsuits can be easily dismissed by a court currently. Only if there are question marks on the issues or facts do cases proceed through the process in the first place.

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