

RESOLUTION

Subject: National Tort Reform
Submitted by: Lexington Medical Society
Referred to: Reference Committee

WHEREAS, the shortage of physicians in the United States can be related to the expenses of medical education and medical practice; and

WHEREAS, Kentucky and most other states have physicians with major expenses related to medical liability; and

WHEREAS, Kentucky continues to lose physicians to states which have malpractice damage caps; and

WHEREAS, 30 states have some form of malpractice damage caps, such as caps on pain and suffering, noneconomic damages, and absolute caps; and

WHEREAS, some states, such as Indiana, have a provider liability cap of \$250,000; and

WHEREAS, major changes in tort reform in Kentucky will require a change in the state constitution and a referendum by the people; and

WHEREAS, a national approach to limiting medical liability expenses would be fairer and more consistent to physicians in all states; and

WHEREAS, the state and national political climate would likely support a more consistent approach to medical liability expenses; now, therefore, be it

RESOLVED, that KMA formally advocate for a national cap on provider liability and solicit congressional support for such improvement in the medical practice environment.