



NEWS RELEASE

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April 22, 2010

AMDA House of Delegates Passes Resolution on Medical Liability Limits and Reform

Columbia, MD--The AMDA House of Delegates approved a resolution on medical liability limits and reform during its meeting on March 13, 2010, in Long Beach, CA. The resolution, introduced by AMDA's Public Policy Committee, reaffirms AMDA's position to continue to advocate for \$250,000 caps on non-economic damages and \$250,000 caps on punitive damages with a clear and convincing standard of proof to award punitive damages.

The resolution also calls for AMDA to continue its work "with other stakeholders including the American Medical Association and Health Coalition on Liability and Access to support legislation that promotes alternative forms of liability reform, including but not limited to mediation, health courts, early compensation offers for medical injuries, certifications of merit, arbitration, apology legislation, and expert qualification."

Over the years, AMDA surveys have shown that the organization's members continually are concerned about liability issues. A 2009 AMDA liability survey specifically showed that more than 60% of respondents support \$250,000 or below caps on non-economic damages; 60% also said they support \$250,000 or below caps on punitive damages. According to the same survey, more than 80% of respondents said they believe that the standard of proof to award punitive damages should be clear and convincing evidence. Elsewhere, survey results documented that 65% of respondents believe that caps on non-economic damages have had a somewhat positive or positive impact on their clinical practice. Finally, as stated in the resolution, the 2009 survey showed that "members would like AMDA to pursue alternatives to liability reform including mediation, health courts, early compensative offers for medical injuries, certifications of merit, arbitration, apology legislation, and expert qualification.

According to Public Policy Committee Chair Eric Tangalos, MD, CMD, "We wanted to make sure that we stay in touch with the membership regarding liability limits and reform, and the survey responses overwhelmingly showed that our existing policies still make good sense. This resolution was presented to reaffirm those policies." He further noted that the House of Delegates debate and vote on this resolution "confirmed that we were on the right track."

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Charles Crecelius, MD, CMD, who helped draft the resolution, added, “This resolution is unique in that it was established by a large membership survey and reviewed and discussed by state presidents prior to being voted on.”

The American Medical Directors Association (AMDA) is the national professional association of medical directors, attending physicians, and other professionals practicing long term care medicine committed to the continuous improvement of patient care. The organization provides education, advocacy, information, and professional development for medical directors and other practitioners from various disciplines working together to deliver quality long term care.

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