

## HEALTH CARE SPENDING FOR PATIENTS NOT LAWSUITS

The AAOS is committed to safe, accessible, cost-effective, and quality patient care. However, the structure of the current medical liability system limits the ability of physicians to provide the highest quality patient care. Systematic medical liability reform is necessary to improve the overall health care system.

### Why Medical Liability Reform Matters:

The AAOS believes that medical liability reforms will enhance patient-physician communication, improve patient safety and access to high-quality care, reduce defensive medicine and wasteful spending, decrease liability costs, and – importantly – help compensate negligently injured patients promptly and equitably. **Additionally, according to the Congressional Budget Office, medical liability reform would save the government \$62 billion over 10 years.**

However, in recognizing that broad reform requires pilots and time before widespread application, it is critical to provide interim relief within the current system through proven measures by state and/or federal legislation. **The AAOS believes that there is an urgent need to improve patient safety and access to care, decrease defensive medicine and reduce the cost of health care through medical liability reform.**

### AAOS Supports:

- **Placing time tested, reasonable limits on non-economic damages, such as the successful reforms in California and Texas**
  - **The Protecting Access to Care Act (H.R. 1215)**
- **Protecting physicians who are volunteering their services in a disaster or local or national emergency**
  - **Good Samaritan Health Professional Act (H.R. 1876)**
- **Applying the Federal Tort Claims Act to cases involving EMTALA-mandated services**
  - **Health Care Safety Net Enhancement Act of 2017 (H.R. 548/S. 527)**
- **Ensuring that nothing in the Patient Protection and Affordable Care Act (ACA), or ACA replacement legislation, creates a new cause of legal action**

### What Congress Should Do:

**Congress should support passage of the abovementioned components of medical liability reform.**