TO: EMS Commission

FROM: Dr. Ruth Haskins, California Medical Associate

DATE: June 18, 2014

SUBJECT: Impact of initiative on availability of medical services

Thank you for allowing me to speak to you about a very important issue that will be facing voters on the November ballot.

Recently, a costly ballot initiative that targets California’s Medical Injury Compensation Reform Act (MICRA) qualified for the November 2014 ballot. The California Medical Association (CMA) joined a campaign with a broad coalition to protect MICRA and oppose this measure that would be costly for consumers and taxpayers, endanger patient access to quality health care and jeopardize the privacy of their personal health information.

This coalition, “Patients, Providers and Healthcare Insurers to Protect Access and Contain Health Costs” is made up of doctors, community health clinics, hospitals, local governments, public safety, business and labor to oppose this ballot measure. If approved by voters, this measure would add “hundreds of millions of dollars” in new costs to state and local governments, according to an impartial analysis conducted by the state’s Legislative Analyst. These new costs would place additional burden on each and every one of us.

This measure would also have a devastating effect on access to care for patients everywhere, but especially in rural and underserved areas. Community health clinics like Planned Parenthood and Central Valley Health Network say this measure will cause specialists like Ob/Gyns to reduce or eliminate patient services. This measure (if passed) would put doctors out of business: the cost of liability coverage would make it impossible to maintain a profitable medical practice in this state of declining reimbursements, rising overhead and high cost of living. Doctors will simply retire early, stop seeing high risk patients or leave the state. Thousands of patients can be expected to lose their physicians.

With the recent implementation of the ACA, there couldn’t be a worse time to reduce access and increase health care costs. So today I ask you all to join me and my physician colleagues in the campaign to defeat this costly measure.

The initiative, being called, “The Troy and Alana Pack Patient Safety Act” by proponents, is bad for patients, taxpayers and California health care. It was written by trial attorneys to make it easier and more profitable for lawyers to sue doctors and hospitals – though that means higher health care costs for all Californians. Our health laws should protect patient access to care and control costs for everyone, not increase lawsuits and payouts to lawyers.
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Over the next nine months, you will hear a lot of rhetoric from the proponents of this measure, but really, this is another example of special interests trying to fool the voters into thinking this is about something that it is not. The authors of this proposal threw in non-MICRA provisions, like drug testing of health care providers, to disguise the real intent, which is to increase the limits on medical malpractice awards so that trial lawyers can make more money. The main proponent of the measure was quoted in the LA Times as saying, “The drug rules are in the initiative because they poll well, and the backers’ figure that’s the way to get the public to support the measure. It’s the ultimate sweetener.”

This proposal also requires that prescribers uniformly make use of a government database with personal information on patients’ prescription drug history. Hackers have already managed to access personal information from millions of Target customers and even the Pentagon databases have been breached. We are concerned that another private database will make health information more vulnerable.

As you can see: this initiative is fraught with problems and would prove detrimental to California’s health care system. I am asking each of you to join the effort to defeat this initiative and by doing so, protect access to health care and prevent inflated costs to Californians.

Thank you.