

HEALTH COMMISSION
City and County of San Francisco
Resolution No. 15-09

**JOINING CALIFORNIANS ALLIED FOR PATIENT PROTECTION (CAPP) AND
URGING THE CITY TO OPPOSE ANY LEGISLATION THAT WOULD REVISE THE
MEDICAL INJURY COMPENSATION REFORM ACT (MICRA)
TO IMPEDE ACCESS, INCREASE HEALTHCARE COSTS, AND DIVERT
HEALTHCARE DOLLARS FROM PATIENT CARE**

WHEREAS, prior to MICRA, California was facing a crisis with out-of-control medical liability costs, clinics, doctors, OBGYNs and other healthcare providers were forced out of practice, and California doctors were paying twice as much for professional liability coverage as their colleagues in other states; and,

WHEREAS, MICRA ensures injured patients receive fair compensation, including unlimited economic compensation, while preserving patients' access to healthcare by keeping doctors, nurses and healthcare providers in practice and hospitals and clinics open; and,

WHEREAS, according to a 2008 report by California's former non-partisan legislative analyst, increasing the amount of non-economic damages allowed under MICRA from \$250,000 to \$500,000 would raise healthcare costs in California by at least \$7.9 billion annually, diverting those resources away from patient care; and,

WHEREAS, changes to MICRA will increase healthcare costs for everyone in California, reducing or eliminating access to healthcare for many of our most needy families; and

WHEREAS, it is especially important for self-insured entities to ensure costs do not increase, out-of-control verdicts do not become the norm, and that doctors and nurses are available to provide care, otherwise providers would have to direct funds away from care to pay for higher liability costs; and,

WHEREAS, any weakening of MICRA will jeopardize access for low-income patients who receive care from county and UC health systems that are self-insured, since these providers would have to take funding from care to pay for higher liability costs; and,

WHEREAS, California's most vulnerable populations require doctors, nurses, clinics and hospitals to treat them, and if healthcare providers cannot afford liability insurance, many of these patients may be unable to find the appropriate care; and,

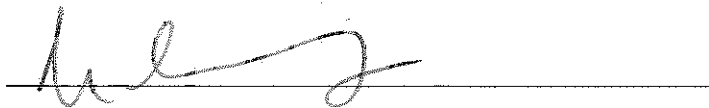
WHEREAS, emergency departments are also on the front lines caring for uninsured and Medi-Cal patients and increased costs for malpractice would reduce funds for emergency care; and,

WHEREAS, by joining Californians Allied for Patient Protection, the San Francisco Department of Public Health would be joining other MICRA supporters including the Los Angeles County Department of Health Services, California State Association of Counties, California Medical Association, California Hospital Association, California Dental Association, Planned Parenthood Affiliates of California, San Francisco Community Clinic Consortium, San Francisco Medical Society, San Francisco Dental Society, La Clínica de la Raza, BAART Community Healthcare, North East Medical Services, and Glide Health Services and more than 300 other groups; and,

WHEREAS, MICRA is a critical component of California's healthcare infrastructure and must be protected; now, therefore be it,

RESOLVED, that the San Francisco Department of Public Health joins Californians Allied for Patient Protection (CAPP), and urges the City to oppose any legislation that would revise the Medical Injury Compensation Reform Act (MICRA) to impede access, increase healthcare costs, and divert healthcare dollars from patient care.

I hereby certify that the San Francisco Health Commission at its meeting of December 1, 2009 adopted the foregoing resolution.

A handwritten signature in black ink, appearing to read 'Mark Morewitz', is written over a horizontal line.

Mark Morewitz, MSW
Health Commission Executive Secretary