



The Maryland State Medical Society

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MEDCHI AND AFFILIATES OFFER SUPPORT FOR BIRTH INJURY FUND

BALTIMORE, February 2, 2016 — MedChi, The Maryland State Medical Society, the American Congress of Obstetricians and Gynecologists and Maryland Section (MDACOG), which represents the Maryland physicians who serve the obstetrical and gynecological needs of Maryland women and their families throughout the state of Maryland, are expressing support for The Birth Injury Fund Bill

Adequate access to high quality obstetrical care should be a right for all Maryland women. However, rising liability pressures place that access at risk.

MedChi Vice-Speaker Ben Stallings, MD explained “The size and nature of jury awards in several obstetrical cases in the last few years has caused a number of hospitals to consider closure of their obstetrical services. Similarly, many obstetricians have discontinued delivery of babies, limiting their practices to other gynecological and obstetrical services out of concern for their liability exposure and the cost of malpractice insurance. While the liability climate in Maryland is challenging for the practice of medicine generally, it is extremely problematic for the delivery of obstetrical services.”

MedChi supports the creation of an alternative legal structure, a birth injury fund for addressing the most severe birth injury cases by providing a funding source to cover the costs of lifetime care and related compensation for families and their babies who suffer severe birth injuries, based on the injury itself, not the outcome of a lawsuit or the assessment of liability.

Birth injuries can occur even under circumstances where the highest quality of care was delivered. They are amongst the most expensive and devastating injuries that occur, regardless of the basis for their occurrence. Creating a no-fault system as reflected in the proposed Maryland Birth Injury Fund will provide a fair and equitable approach to promptly and comprehensively ensure that these infants and their families receive the care they need and deserve. The objectives of this legislation align with the State’s objectives to ensure access to high quality medical care for all Marylanders. Maryland’s looming obstetrical access crisis must be averted. Passage of this legislation provides a pathway to that objective.

About MedChi

MedChi, The Maryland State Medical Society is a non-profit membership association of Maryland physicians. It is the largest physician organization in Maryland. The mission of MedChi is to serve as Maryland’s foremost advocate and resource for physicians, their patients and the public health of Maryland. For more information, please visit www.medchi.org.