

2018 KEY LEGISLATIVE ISSUES

OPPOSE WEAKENING MARYLAND'S MEDICAL LIABILITY ENVIRONMENT

The Problem: Trial lawyers continue to advocate for measures that would weaken Maryland's current medical malpractice laws. These include:

- **Senate Bill 36/House Bill 289:** Triples the non-economic damage cap in medical malpractice cases. Maryland's cap remains one of the most liberal in the nation and increases each year by \$15,000. For causes of action arising in 2018, the cap is \$800,000.
- **Senate Bill 30/House Bill 1581:** Eliminates the 20% rule for expert witnesses. The current law precludes as an expert a person who devotes annually more than 20 percent of their professional activities to testifying in personal injury cases.
- **Senate Bill 5:** Revises the standards for how punitive damages may be applied and in what type of cases, which may include medical malpractice causes.

The Solution: Oppose legislation to: 1) triple the cap on non-economic damages in medical malpractice cases; 2) eliminate the 20% rule for expert witnesses; and 3) authorize the imposition of punitive damages.

What to Do: Call/write/e-mail members of the Senate Judicial Proceedings Committee and the House Judiciary Committee to ask them to oppose bills which will aggravate the present medical malpractice environment. Contact MedChi for legislative contact information at 1-800-492-1056.