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TO: The Honorable Luke Clippinger, Chair
Members, House Judiciary Committee
The Honorable Samuel I. Rosenberg

FROM: J. Steven Wise
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DATE: March 14, 2019

RE: **SUPPORT** – House Bill 1323 – *Civil Actions – Health Care Malpractice Claims (Life Care Act 2019)*

The Maryland State Medical Society (MedChi), the largest physician organization in Maryland, **supports** House Bill 1323.

House Bill 1323 adopts what is commonly known as the *Daubert* standard for expert testimony in medical liability cases. This would align Maryland's threshold for acceptable expert witness testimony with the federal courts and 31 states and the District of Columbia. The *Daubert* standard requires the testimony of an expert witness: 1) to be based upon sufficient facts or data; 2) to be the product of reliable principles and methods; and 3) that the principles and methods be applied reliably to the facts of the case. *Daubert* requires that the conclusion of the expert's witness testimony sufficiently relies upon generally accepted facts or data through a logical/scientific methodology. By utilizing the *Daubert* standard in medical liability cases, the accuracy and validity of expert testimony in Maryland can be more objectively relied upon.

For these reasons, MedChi supports House Bill 1323.

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