

# Fact Sheet

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**Here's why a broad coalition of coalition of physicians, dentists, nurses, hospitals, safety net clinics, and other health care providers is committed to vigorously fighting this initiative.**

## **+ Effectively eliminates MICRA's cap on non-economic damages**

Proponents of this measure say it will simply index for inflation the state's current cap on non-economic damages. However, the lawyer who drafted this measure has included deceptive and cynical language that creates a new category of lawsuits not subject to the cap on non-economic damages, while effectively eliminating the cap on non-economic damages for any medical malpractice case.

## **+ Costly for consumers and taxpayers**

According to the California independent Legislative Analyst's Office (LAO), this measure would lead to "annual government costs likely ranging from the low tens of millions of dollars to the high hundreds of millions of dollars," placing the burden of this additional cost on all of us, while reducing access for those who need it most, including those who use Medi-Cal, county programs, safety net providers and school-based health centers.

This measure will vastly increase the number of lawsuits filed in California, and further divert resources for patient care to the legal system.

## **+ A misleading measure intended to fool the voters**

This measure was written by an out-of-state trial attorney who is looking to cash in with California cases. Our health laws should protect access to care and control costs for everyone, not increase lawsuits and payouts for lawyers.

This is not an adjustment of the MICRA cap; it is a virtual elimination. It would also eliminate the state's current cap on attorney's fees in medical malpractice cases, allowing lawyers to take up to 50% of a patient's jury award in malpractice cases.

## **+ Jeopardizes patient access to quality health care**

This measure would have a particularly adverse impact on community health clinics. This measure will raise insurance costs, causing physicians in high-risk specialties like OB/GYNs to reduce or eliminate patient services.

There are, regrettably, individual tragic cases of medical negligence. However, under current law, patients can already receive unlimited awards for past and future health care costs, for lost wages and in cases of gross negligence.

This ballot measure is simply a cynical effort by a single trial lawyer looking to increase lawyers' share of medical malpractice awards and line his own pockets while driving up health care costs for all Californians.

