

MARCH 13, 2003

SCHAKOWSKY: REPUBLICANS COMMITTED LEGISLATIVE MALPRACTICE

WASHINGTON, D.C. - Following the House approval of so-called medical malpractice reform legislation, U.S. Representative Jan Schakowsky (D-IL) today said that Republicans delivered a major victory to insurance companies and a blow to victims of medical malpractice.

□ **"Republicans stand accused of legislative malpractice.□ No matter what President Bush or Republicans say, H.R. 5 is a sham and an insurance profit protection bill.□ It will penalize victims, will not lower health care costs for patients or insurance rates for doctors, and will fail to go after the 5% of doctors responsible for 54% of medical malpractice,"** said Schakowsky, a member of the House Energy and Commerce Committee.□ □

Prior to the vote today in the House, Schakowsky implored her colleagues to reject H.R. 5.□ Schakowsky read from two letters she received from constituents who suffered greatly as a result of medical malpractice.□ □ □

The first letter was written by a grieving father who described how his son died in the recovery room following surgery to adjust his bite.□ In great detail, he wrote how his son was unable to breathe when his breathing tube dislodged and *"there were no wire cutters to open his mouth to allow him to receive oxygen. He suffered an agonizing and painful death."*

Schakowsky continued, reading from a second letter about an outpatient surgery gone horribly wrong.□ *"During the surgery,"* the victim wrote, *" the oxygen ignited.While the surgery continued my entire face was burned."*

□ The victim continued,
"For these past three years I have been in a mask covering my face and I have nasal tubes to stint open my nose for 23 hours a day.□ With my mask on I can only drink through a straw.□ My breathing was entirely cut off for almost two years. I have been through 8 surgeries and have 2-4 more pending. Legislation to cap damages fundamentally punishes - again - the victims of these horrendous medical mistakes."

President Bush, who complained that the legal system looks more and more like a lottery system, has publicly called for caps on non-economic damages.□ H.R. 5 sets the cap at \$250,000.

"Victims of medical malpractice are not lottery winners.□ They did not hit the jackpot.□ They deserve better," Schakowsky concluded.