

**MARCH 6, 2003**

**SCHAKOWSKY: "VICTIMS OF MEDICAL MALPRACTICE PENALIZED BY GOP. REPUBLICANS ARE GUILTY OF LEGISLATIVE MALPRACTICE"**

**WASHINGTON, D.C. - U.S. Representative Jan Schakowsky (D-IL) today said that victims would be penalized under the so-called medical malpractice reform legislation approved today by the House Energy and Commerce Committee.**

**Schakowsky added that the H.R. 5 would greatly limit the civil justice rights of injured consumers, while failing to lower health care costs for patients and insurance rates for doctors. The bill does not address the epidemic of medical errors that kill up to 98,000 hospital patients each year.**

**"Republicans are guilty of legislative malpractice. Republicans decided to penalize the victims instead of going after the 5% of doctors responsible for 54% of medical malpractice cases or the insurance companies responsible for skyrocketing premiums. H.R. 5 unnecessarily punishes people who have truly suffered," Schakowsky said.**

**H.R. 5 caps compensatory non-economic damages and punitive damages at \$250,000. Schakowsky expressed concern about the effects of the caps, especially on women, children, people of color and the elderly.**

**During debate, Schakowsky offered an amendment that would have removed nursing homes from the list of providers protected from liability. She said, "Unfortunately, while many nursing homes provide good care, many others do not. The anguish of a frail elderly person who suffers due to a nursing home's neglect - a situation all too common in our country - should not be limited to \$250,000." The amendment was not accepted.**

**Another amendment offered by Schakowsky would have allowed victims to return to court to recover additional economic damages when necessary. That amendment was rejected on voice vote.**