

Floor Statement on HR 5, Medical Liability Reform and IPAB Repeal Rep. Jan Schakowsky March 21, 2012

Thank you, Mr. Speaker.

I hope the American people understand what is going on here today. H.R. 5 represents another in a long line of partisan political attacks on the Affordable Care Act.

Since its passage 2 years ago, this historic law has been under attack. Today's bill would repeal the Independent Payment Advisory Board. The Affordable Care Act is replete with provisions to lower Medicare costs – from unprecedented tools to fight fraud to efficiency reforms. The IPAB is a backstop to those provisions. What the Affordable Care Act does not do – and what the IPAB is prohibited from doing – is increase costs to seniors and people with disabilities or cut benefits.

And that may be why my Republican colleagues don't like it. If you look at their proposal to take away the Medicare guarantee and turn it into a voucher program, you can see why. Instead of lowering costs for everyone as the Affordable Care Act does, the Republican plan just shifts costs onto the backs of those who can least afford it – seniors, disabled people and their families.

These are the same folks who are harmed by the tort reform provisions of H.R. 5—federal intrusion coupled with disregard for injured consumers. Instead of working to improve health care quality – as the Affordable Care Act does – H.R. 5 simply restricts the rights of patients harmed by dangerous drug companies, nursing homes, medical device manufacturers, doctors and hospitals.

I am especially opposed to arbitrary caps on non-economic damages. Economic damages provide compensation for lost wages. Non-economic damages provide compensation for injuries that are just as real and damaging – injuries like excruciating pain, disfigurement, loss of a spouse or grandparent, inability to bear children. These arbitrary caps are particularly discriminatory for seniors and children, who don't have lost wages.

H.R. 5 – higher costs to seniors and disabled people and fewer legal rights for injured consumers. A bad deal on both counts.

Mr. Speaker, I yield back the balance of my time.