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March 21, 2014

The Honorable Andy Barr
U.S. House of Representatives
1432 Longworth House Office Building
Washington, D.C. 20515

The Honorable Ami Bera
U.S. House of Representatives
1408 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Barr and Congressman Bera:

On behalf of the more than 79,000 members of the American College of Surgeons, I write to express the College's support for H.R. 4106, the Saving Lives, Saving Costs Act. This bill takes an innovative approach to address our nation's broken liability system that will help to increase the practice of evidence-based health care, improve patient safety, and reduce defensive medicine.

H.R. 4106 provides protections to providers who adhere to physician-developed clinical practice guidelines and appropriate use criteria. Physicians named in a malpractice claim would be able to assert adherence to guidelines, which would trigger review of the case by an independent medical review panel consisting of experts in the relevant areas of medicine. If the panel finds that the appropriate guidelines were adhered to, the judge may dismiss the case, unless the person bringing the claim can show by clear and convincing evidence (a higher burden of proof,) that his or her injury is due to the defendant's failure to meet the standard of care.

The College maintains that evidence-based liability reform aligned with improving the quality, cost, and appropriateness of care, holds the most promise of improving the current medical liability system. The Saving Lives, Saving Costs Act represents an innovative approach to addressing what is wrong with our nation's medical liability system with a focus on improving patient safety. We thank you for your efforts on this complex issue and look forward to working with you as you further develop and advance this legislation.

Sincerely,

David B. Hoyt

David Hoyt, MD, FACS
Executive Director