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PIAA-Backed Standard of Care Protection Provision Included in Legislation Passed by U.S. Senate

Rockville, MD (April 14, 2015) – PIAA, the nation’s leading association representing the medical professional liability (MPL) insurance community, today praised the U.S. Senate for passing bipartisan legislation that includes a provision to ensure that federal healthcare metrics and reimbursement guidelines are not misused in claims of medical liability. The bill was passed by a vote of 92-8, after having previously been approved by the House on a 392-37 vote.

“PIAA, in conjunction with its members, worked tirelessly to negotiate language to be included in the Sustainable Growth Rate replacement legislation that would protect healthcare professionals from the misuse of federal reimbursement and other guidelines,” said Gloria H. Everett, Chair of the PIAA Board of Directors and President and CEO of The Mutual RRG. “We are very pleased about the passage of this legislation, and we applaud members of both the House of Representatives and the Senate for recognizing the importance of this provision for access to care.”

“This is a tremendous victory for healthcare professionals and patients alike,” Everett continued. “Healthcare professionals face significant challenges as a result of the unpredictable medical liability system. This legislation, however, is a clear step in the right direction. Doctors, nurses, hospitals, and their patients will all benefit from these new protections.”

PIAA has long advocated for measures to ensure that federal healthcare guidelines and regulations are not misused in court to prove, or disprove, allegations of medical negligence. Specifically, the provision endorsed by PIAA states that federal healthcare provisions “shall not be construed to establish the standard of care or duty of care owed by a health care provider to a patient in any medical malpractice or medical product liability action or claim.”

Passage of the standard-of-care provision concludes a bipartisan, bicameral effort that has been underway for five years to prevent the misapplication of federal healthcare measures, none of which were created to establish relevant legal standards.

“This new legislation shows what PIAA’s sustained legislative advocacy can accomplish, on behalf of all of the healthcare professionals who care for America’s patients,” said PIAA President and CEO Brian K. Atchinson. “And,“ he said, “this marks one of the rare occasions when both political parties recognized the essential value of a bill, and collaborated in achieving its passage. It has been a very gratifying process.”

The legislation now proceeds to the White House for enactment. The President has already stated that he intends to sign the bill.

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