

City of Long Beach  
Many Unique Neighborhoods  
One Great City

Dr. Suja Lowenthal  
Councilmember



## Memorandum

To: Mayor and City Council

January 21, 2014

From: Suja Lowenthal, Second District 

Subject: Medical Injury Compensation Reform Act (MICRA)

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### REQUESTED ACTION:

Request the City Council oppose any bills or ballot measures that would weaken the Medical Injury Compensation Reform Act (MICRA), thereby increasing health care costs for state and local governments and limiting patient access to health care services.

Request the City Attorney draft a resolution in opposition to bills or ballot measures that would weaken the Medical Injury Compensation Reform Act (MICRA), thereby increasing health care costs for state and local governments and limiting patient access to health care services.

Request that the City of Long Beach become an official, non dues paying member of Californians Allied for Patient Protection (CAPP), a coalition which is dedicated to supporting MICRA.

### BACKGROUND INFORMATION:

According to the California Medical Association, "the Medical Injury Compensation Reform Act of 1975 (MICRA) is a series of statutes crafted to ensure that injured patients are fairly compensated, medical liability rates are kept in check, and physicians and clinics can remain in practice treating patients."

When California Legislature enacted MICRA, it included several significant changes to the medical malpractice system in California. MICRA allows patients with justifiable medical malpractice claims to receive the following forms of compensation:

- Unlimited economic damages for past and future medical costs.
- Unlimited damages for lost wages, lifetime earning potential or any other economic losses.
- Unlimited punitive damages.
- Up to \$250,000 for non-economic damages. Unlike economic damages, non-economic damages are inherently subjective and often difficult to verify and measure. MICRA's \$250,000 ceiling on non-economic damages has proved effective in reducing and stabilizing medical liability insurance costs, which in turn has limited the rate of growth in health care costs and increased access to health care for all Californians.

California's Medical Injury Compensation Reform Act (MICRA) ensures injured patients receive fair compensation while also limiting frivolous and meritless lawsuits that increase costs for consumers, local governments and others. Under MICRA, patients are awarded all economic damages, such as all past and future lost wages and all past and future medical bills, and unlimited punitive damages. MICRA also allows patients to recover up to \$250,000 in non-economic damages. This reasonable \$250,000 cap on non-economic damages allows legitimate medical liability cases to move forward, but provides a disincentive for lawyers to pursue meritless claims which waste health care dollars and drive up health care costs unnecessarily.

Currently, there is a proposal filed for the November 2014 ballot to quadruple MICRA's non-economic damages cap to \$1.1 million, which will make it easier and more lucrative for lawyers to file lawsuits against all health care providers, including state and local governments. State and local governments, including schools, cities, counties and special districts would all be negatively impacted by increasing MICRA's cap because of increased costs to provide health and dental benefits for current and retired employees, and increased costs for local governments that operate clinics, hospitals and other health services and provide health care for Californians through Medi-Cal and other state-sponsored programs.

A recent review by California's former non-partisan legislative analyst found that increasing the MICRA non-economic damages cap from \$250,000 to \$1.1 million would impact state and local budgets by nearly \$2 billion each year, including \$173 million for cities; \$297 for counties; \$111 million for special districts, \$170 million for K-12 schools; and \$25 million for community colleges. The same study found that overall health care costs in California would go up by \$9.9 billion annually, diverting those resources away from patient care. There is real concern that this change to MICRA will increase health care costs for everyone in California, and reduce or eliminate access to health care services for many California residents.

Therefore, I am asking the City of Long Beach to join other cities as well as the California State Association of Counties, California Special Districts Association, California Association of Public Hospitals and Health Systems, and more than 800 other organizations representing doctors, hospitals, nurses, community clinics, local governments, business and taxpayer groups, labor unions, EMTs and public safety in supporting Californians Allied for Patient Protection (CAPP), a coalition dedicated to supporting MICRA. In doing so, Long Beach would become an official, non-dues paying member of Californians Allied for Patient Protection (CAPP).

#### **FISCAL IMPACT:**

There is no fiscal impact for this item.

Attachments:  
MICRA Coalition List  
MICRA Fact Sheet



1215 K Street, Suite 2015, Sacramento, CA 95814

tel 916.448.7992 fax 916.448.0234 www.micra.org

## MICRA Coalition Supporters

### Doctors and Healthcare Providers

American Academy of Pediatrics - CA  
American College of Emergency Physicians  
American College of Physicians California Services  
American College of Surgeons - Northern CA Chapter  
American College of Surgeons - San Diego Chapter  
American College of Surgeons - Southern CA Chapter  
American Congress of Obstetricians and Gynecologists  
American Nurses Association - CA  
American Society for Dermatologic Surgery  
American Society for Reproductive Medicine  
Association of California Healthcare Districts  
Association of California Nurse Leaders  
Association of Northern California Oncologists  
Association of Orthopedic Technologists of California  
Association of Women's Health Obstetric & Neonatal Nurses  
California Academy of Eye Physicians & Surgeons  
California Academy of Family Physicians  
California Academy of Physician Assistants  
California Academy of Preventative Medicine  
California Ambulatory Surgery Association  
California Assisted Living Association  
California Association for Health Services at Home  
California Association for Nurse Practitioners  
California Association of Health Facilities  
California Association of Marriage & Family Therapists  
California Association of Neurological Surgeons  
California Association of Nurse Anesthetists  
California Association of Oral & Maxillofacial Surgeons  
California Association of Physician Groups  
California Association of Psychiatric Mental Health Nurses in Advanced Practice  
California Association of Public Hospitals and Health Systems  
California Association of Rural Health Clinics  
California Chapter of the American College of Cardiology  
California Children's Hospital Association  
California Chiropractic Association  
California Clinical Laboratory Association  
California Dental Association  
California Dental Hygienists' Association  
California Hospital Association  
California Medical Association  
California Neurology Society  
California Nurse-Midwives Association  
California Optometric Association  
California Orthopaedic Association  
California Pharmacists Association  
California Podiatric Medical Association  
California Primary Care Association  
California Psychiatric Association  
California Radiological Society  
California School Health Centers Association

California Society for Clinical Social Work  
California Society of Addiction Medicine  
California Society of Anesthesiologists  
California Society of Dermatology & Dermatologic Surgery  
California Society of Pathologists  
California Society of Plastic Surgeons  
California State Oriental Medical Association  
California State Rural Health Association  
California Thoracic Society  
California Urological Association  
California WIC Association  
Children's Specialty Care Coalition  
Heavenly Home Health  
Kaiser Permanente  
LeadingAge California  
Medical Oncology Association of Southern CA  
National Association of Social Workers, CA Chapter NORCAP  
Operation Access (60 clinics)  
Osteopathic Physicians and Surgeons of CA  
Planned Parenthood Affiliates of California  
Society of OB/GYN Hospitalists  
Southern California Public Health Association  
University of California Health

### Local Government

Alameda County Health Care Services Agency  
California Association of Joint Powers Authorities  
California Special Districts Association  
California State Association of Counties  
City of Carson  
Compton Unified School District Board of Trustees  
Contra Costa Health Services  
County of Inyo  
County of Lake  
CSAC Excess Insurance Authority  
Health Officers Association of California  
Los Angeles County Department of Health Services  
Partnership HealthPlan of California  
Rural County Representatives of California  
San Francisco Department of Public Health  
Santa Clara Valley Health & Hospital System  
Sonoma County Department of Health Services

## Public Safety and Labor Unions

California State Firefighters' Association  
Cement Masons Local 500  
Cement Masons Local 600  
Contra Costa Building and Construction Trades  
District Council of Iron Workers  
East Central California Chapter, NECA  
Fresno, Madera, Kings and Tulare Counties Building and  
Construction Trades  
Heat and Frost Insulators Local 5  
IBEW 9<sup>th</sup> District  
IBEW Local 11  
IBEW Local 100  
IBEW Local 340  
IBEW Local 440  
IBEW Local 441  
IBEW Local 551  
IBEW Local 569  
IBEW Local 595  
International Brotherhood of Boilermakers  
Iron Workers Local 118  
Iron Workers Local 155  
Kern, Inyo & Mono Counties Building Trades  
Laborers Local 185  
Los Angeles Police Protective League  
Mid Valley Building and Construction Trades  
OPCMIA California State Conference  
OPCMIA Local 300  
OPCMIA Local 400  
Plasterers Local 200  
Plumbers and Fitters Local 398  
Plumbers and Steamfitters Local 460  
Roofers and Waterproofers Union Local 81  
Sacramento-Sierra's Building & Construction Trades  
San Diego County Building & Construction Trades  
San Mateo County Building & Construction Trades  
Santa Clara & San Benito Counties Building Trades  
Southern California Pipe Traders D.C. #16  
State Building & Construction Trades Council, AFL-CIO  
Steamfitters Local 250  
Teamsters Local 36  
Tri Counties Building and Construction Trades  
U.A. Local 62  
U.A. Local 114  
U.A. Local 228  
U.A. Local 230 Plumbers and Steamfitters  
U.A. Local 246  
U.A. Local 355 Utilities/Landscape  
U.A. Local 345  
U.A. Local 364 Plumbers and Pipefitters  
U.A. Local 403  
U.A. Local 442  
U.A. Local 447  
U.A. Local 484 Plumbers and Pipefitters  
U.A. Local 582 Plumbers and Steamfitters  
U.A. Local 709  
U.A. Local 761  
U.A. Local 78 Plumbers  
Union of American Physicians and Dentists

## Trusts

Pipe Trades DC #36 Health & Welfare Trust  
San Diego County Cement Masons Health & Welfare Trust  
Southern CA Cement Masons Health & Welfare Trust

## Community Clinics and Health Centers

Alameda Health Consortium  
Alexander Valley Healthcare  
Alliance for Rural Community Health (9 clinics)  
Alliance Medical Center (2 clinics)  
All for Health, Health for All (3 clinics)  
Alpine Family Medicine  
AltaMed Health Services Corporation  
Alviso Health Center  
American Indian Healing Center  
Anderson Family Health & Dental Center  
Arlanza Family Health Center  
Asian Americans for Community Involvement  
Asian Pacific Health Care Venture, Inc. (3 clinics)  
BAART Community HealthCare (9 clinics)  
Bell Gardens Family Medical Center  
Bollinas Community Health Center  
Borrego Community Health Foundation  
Borrego Springs Children's Center  
Brookside Community Health Center (2 clinics)  
Brookwood Health Center  
California Consortium for Urban Indian Health  
Camino Health Center  
Capitol Community Health Network  
Center for AIDS Research, Education and Services  
Center for Community Health and Well-Being  
Central City Community Health Center (4 clinics)  
Central Valley Health Network (130 clinics)  
Centro de Bienestar  
Centro Medico Cathedral City  
Centro Medico Coachella  
Centro Medico El Cajon  
Centro Medico Escondido  
Centro Medico Oasis  
Children's Dental Center of Greater Los Angeles  
Chinatown Service Center  
Chinese Community Health Services  
CHOC at the Boys and Girls Club of Santa Ana  
CHOC Costa Mesa Clinic  
CHOC Health Center Garden Grove  
CHOC Orange Clinic Chula Vista Family Clinic  
City Help (4 clinics)  
Cleaver Family Wellness Clinic  
Clinica CHOC Para Niños  
Clinica Monseñor Oscar A. Romero  
Clinicas del Camino Real (10 clinics)  
Coalition of Orange County Community  
Health Centers (53 clinics)  
Coastal Health Alliance (3 clinics)  
CommuniCare Health Centers (5 clinics)  
Community Clinic Association of Los Angeles County  
(42 clinics)  
Community Clinic Association of San Bernardino  
County  
Community Clinic Consortium Serving Contra Costa  
and Solano Counties (21 clinics)  
Community Health Alliance of Pasadena (CHAP)



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# MICRA Coalition Supporters

## Community Clinics and Health Centers, continued

Community Health Clinic Ole (8 clinics)  
 Community Health Partnership (12 clinics)  
 Community Health Systems, Inc. (5 clinics)  
 Community Medical Centers (12 clinics)  
 CompreCare Health Center  
 Corcoran Health Center  
 C.O.R.E. Medical Clinic, Inc.  
 Council of Community Clinics Serving San Diego,  
 Imperial, Riverside Counties (98 clinics)  
 Crenshaw Community Health Center  
 Curry Senior Center  
 Daly City Health Services  
 Daly City Youth Health Center  
 Darin M. Camarena Health Centers, Inc.  
 Davis Street Family Resource Center  
 Delano District Skilled Nursing Facility  
 Desert Home Care  
 Desert Hot Springs Community Health Center  
 Dientes Community Dental Care  
 Doctors on Duty – Aptos  
 Doctors on Duty – CSUMB Health Center  
 Doctors on Duty – Marina  
 Doctors on Duty – Monterey  
 Doctors on Duty – Salinas South Main  
 Doctors on Duty – Salinas Urgent Care  
 Doctors on Duty – San Jose  
 Doctors on Duty – Santa Cruz  
 Doctors on Duty – Seaside  
 Doctors on Duty – Watsonville  
 East Valley Community Health Center  
 Earlimart Health Center  
 Eastside Health Center  
 Eisner Pediatric & Family Medical Center  
 El Dorado County Community Health Center  
 El Hogar Community Services, Inc.  
 Elsie Allen Health Center  
 Escondido Family Medicine  
 Excelsior Health Services  
 Fallbrook Family Health Center  
 Family Assessment, Counseling & Education Services  
 Family Healthcare Centers of Greater Los Angeles  
 Family Healthcare Network (11 clinics)  
 Friends of Family Health Center  
 Gardner Family Health Network  
 Gardner Health Center  
 Garfield Health Center  
 Glide Health Services  
 Haight Ashbury Free Clinics – Walden House  
 Happy Valley Family Health Center  
 Harbor Community Clinic  
 Hawaiian Gardens Health Center  
 Health Alliance of Northern California (12 clinics)  
 Health For All (5 clinics)  
 Healthcare for the Homeless Project

Huron Health Center  
 Imperial Beach Health Center  
 Indian Health Center of Santa Clara Valley (4 clinics)  
 Inland Behavioral & Health Services  
 Inland Empire Community Health Center  
 Inland Family Community Health Center  
 Institute for Healthcare Advancement  
 Julian Medical Clinic  
 JWCH Institute (9 clinics)  
 Kerman Health Center  
 KHEIR Center (3 clinics)  
 Kids Come First Community Clinic  
 La Amistad de Jose Family Health Center  
 La Clinica de La Raza (23 clinics)  
 La Habra Family Resource Center  
 La Maestra Community Health Centers (9 clinics)  
 Laguna Beach Community Clinic  
 Lestonnac Free Clinic (6 clinics)  
 LifeLong Medical Care (9 clinics)  
 Livingston Community Health Services (2 clinics)  
 Lodi Memorial Community Clinics (4 clinics)  
 Los Angeles Gay and Lesbian Center  
 (Jeffrey Goodman Special Care Clinic)  
 Marin Community Clinics (3 clinics)  
 MEND: Meet Each Need with Dignity  
 Mendocino Coast Clinics, Inc.  
 Mendota Health Center  
 Mission Neighborhood Health Center  
 Moreno Valley Family Health Center  
 Mountain Empire Family Medicine  
 Mountain Health & Community Services (5 clinics)  
 National City Family Clinic  
 Native American Health Center of Alameda  
 Native American Health Center Richmond Wellness  
 Center  
 Native American Health Center of San Francisco  
 Native American Health Center of San Francisco -  
 Dental Clinic  
 Native American Youth Health Center  
 Neighborhood Healthcare (11 clinics)  
 Northeast Community Clinics (12 clinics)  
 Northeast Valley Health Corporation (13 clinics)  
 North Coast Clinics Network (14 clinics)  
 North East Medical Services (7 clinics)  
 Oakland Seven Directions Native American Health  
 Center  
 Open Door Community Health Centers (9 clinics)  
 Operation Samahan Community Health Centers  
 (6 clinics)  
 Orange Cove Health Center  
 Otay Family Health Center  
 Paradise Hills Family Clinic  
 Parlier Health Center  
 PDI Surgery Center  
 Peninsula Primary Care

**Community Clinics and Health Centers, continued**

Peninsula Primary Care Marina  
Petaluma Health Center  
Planned Parenthood Affiliates of California (116 clinics)  
Point Reyes Station Community Health Center  
Puente a la Salud Mobile Community Clinics  
QueensCare Family Clinics (6 clinics)  
Redwood Community Health Coalition  
Roseland Children's Health Center  
Rural Health Clinic – Lake Arrowhead  
Rural Health Clinic – Running Springs  
Saban Free Clinic  
Sacramento Community Clinics (3 clinics)  
Sacramento Native American Health Center  
Salud Digna  
Salud Para La Gente (14 clinics)  
San Benito Health Foundation  
San Bernardino Mountains Community Hospital  
District  
San Diego Children's Dental Clinic  
San Diego Family Care (3 clinics)  
San Francisco Community Clinic Consortium  
(10 clinics)  
Sanger Health Center  
San Jose Foothill Family Community Clinic  
San Ysidro Health Center, Inc.  
Santa Barbara Neighborhood Clinics (3 clinics)  
Santa Maria's Children and Family Center  
Santa Rosa Community Health Centers (8 clinics)  
Santa Rosa Junior College Clinic  
Shasta Community Health Center (6 clinics)  
Shasta Community Health Dental Clinic  
Shasta Lake Family Health Center  
Sierra Family Medical Center  
Silva Pediatric Medical & Dental Clinic  
Social Action Community Health System  
Somerset Educational Services  
Sonoma County Indian Health Project, Inc.  
Sonoma Valley Community Health Center  
Sonrisas Community Dental Center  
South Bay Child Guidance Clinic  
South Bay Children's Health Center  
South Bay Family Dental Clinic  
South Bay Family Health Care (5 clinics)  
South Bay Family Urgent Care  
South Central Family Health Center (5 clinics)  
South County Health Center  
Southside Coalition of Community Health Centers  
Southwest Community Health Center  
at Lombardi Court  
St. Anthony Free Medical Clinic  
Stinson Beach Community Health Center  
St. James Health Center  
St. John's Well Child and Family Centers (10 clinics)  
St. Joseph Health System Sonoma County –  
Community Health Clinics  
St. Luke's Adult Internal Medicine  
St. Luke's Pediatric Clinic  
St. Luke's Women's Center  
Sunset Health Services  
Tarzana Treatment Centers (10 clinics)  
The Smile Factory

**Community Clinics and Health Centers, continued**

Tiburcio Vásquez Health Center, Inc.  
To Help Everyone (T.H.E.) Clinic, Inc.  
Tri-City Health Center  
Tulare Community Health Clinic (4 clinics)  
Umma Community Clinic  
Union City Health Center  
United Health Centers of the San Joaquin Valley  
Valley Community Clinic  
Van Nuys – Panorama Dental Center  
Vista Community Clinics (6 clinics)  
Vista Family Health Center  
Watts Healthcare Corporation  
WellSpace Health  
West County Health Centers, Inc.  
Western Sierra Medical Clinic  
Westside Family Health Center  
Westside Neighborhood Clinic  
Whitney Young Family Health Clinic

**Hospitals**

Adventist Health  
Adventist Medical Center, Hanford  
Adventist Medical Center, Reedley  
Adventist Medical Center, Selma  
AHMC Anaheim Regional Medical Center  
Alameda County Medical Center  
Alameda Hospital  
Alhambra Hospital Medical Center  
Alliance of Catholic Health Care  
Alta Bates Summit Medical Center  
Alvarado Hospital Medical Center  
Alvarado Parkway Institute  
Anaheim Memorial Medical Center  
Antelope Valley Hospital  
Arrowhead Regional Medical Center  
Arroyo Grande Community Hospital  
Aurora Behavioral Health Care – Charter Oak  
Aurora Behavioral Health Care – San Diego  
Avanti Hospitals  
Bakersfield Memorial Hospital  
Ballard Rehabilitation Hospital  
Banner Lassen Medical Center  
Barlow Respiratory Hospital  
Barstow Community Hospital  
Barton Healthcare System  
Barton Memorial Hospital  
Bear Valley Community Health Care District  
Bear Valley Community Hospital  
Beverly Hospital  
Biggs-Gridley Memorial Hospital  
California Hospital Medical Center  
California Pacific Medical Center  
Canyon Ridge Hospital  
Catalina Island Medical Center  
Cedars-Sinai Medical Center  
Centinela Hospital Medical Center  
Central Valley General Hospital  
Chapman Medical Center  
Children's Hospital Central California  
Children's Hospital Los Angeles  
Children's Hospital of Orange County



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# MICRA Coalition Supporters

## Hospitals, continued

Children's Hospital & Research Center Oakland  
 Chinese Hospital  
 Chino Valley Medical Center  
 CHOC Children's at Mission Hospital  
 Citrus Valley Health Partners  
 Citrus Valley Medical Centers  
 City of Hope  
 Clovis Community Medical Center  
 Coalinga Regional Medical Center  
 Coastal Communities Hospital  
 College Hospital, Cerritos  
 College Hospital, Costa Mesa  
 Colusa Regional Medical Center  
 Community Behavioral Health Center  
 Community Hospital Long Beach  
 Community Hospital of San Bernardino  
 Community Hospital of the Monterey Peninsula  
 Community Medical Centers  
 Community Memorial Hospital  
 Community Regional Medical Center  
 Contra Costa Regional Medical Center  
 Corona Regional Medical Center  
 Cottage Children's Hospital  
 Cottage Health Systems  
 Daughters of Charity Health System  
 Desert Regional Medical Center  
 Desert Valley Hospital  
 Dignity Health  
 Doctors Hospital of Manteca  
 Doctors Hospital of West Covina  
 Doctors Medical Center of Modesto  
 Doctors Medical Center San Pablo  
 Dominican Hospital  
 Downey Regional Medical Center  
 East Los Angeles Doctors Hospital  
 Easy Valley Hospital Medical Center  
 Eastern Plumas Health Care  
 Eden Medical Center, Castro Valley  
 Eden Township Healthcare District  
 El Camino Hospital – Los Gatos  
 El Camino Hospital – Mountain View  
 El Centro Regional Medical Center  
 Encino Hospital Medical Center  
 Enloe Medical Center  
 Fairchild Medical Center  
 Fallbrook Hospital  
 Feather River Hospital  
 Foothill Presbyterian Hospital  
 Fountain Valley Regional Hospital & Medical Center  
 Frank R. Howard Memorial Hospital  
 Fremont Hospital  
 French Hospital Medical Center  
 Fresno Heart & Surgical Hospital  
 Garden Grove Hospital and Medical Center

Garfield Medical Center  
 Gateways Hospital and Mental Health Center  
 George L. Mee Memorial Hospital  
 Glendale Adventist Medical Center  
 Glendale Memorial Hospital and Health Center  
 Goleta Valley Cottage Hospital  
 Good Samaritan Hospital Los Angeles  
 Good Samaritan Hospital San Jose  
 Greater El Monte Community Hospital  
 Hazel Hawkins Memorial Hospital  
 Healdsburg District Hospital  
 Healthcare Consultation Center I and II  
 HealthSouth Bakersfield Rehabilitation Hospital  
 HealthSouth Tustin Rehabilitation Hospital  
 Hemet Valley Medical Center  
 Henry Mayo Newhall Memorial Hospital  
 Heritage Oaks Hospital  
 Hi-Desert Medical Center  
 Hollywood Presbyterian Medical Center  
 Hospital Association of San Diego & Imperial Counties  
 Hospital Association of Southern California  
 Hospital Corporation of America  
 Hospital Council of Northern and Central California  
 Huntington Beach Hospital  
 Huntington Hospital  
 Inland Valley Medical Center  
 Integrated Healthcare Holdings, Inc.  
 Jerold Phelps Community Hospital  
 Jewish Home of San Francisco  
 John C. Fremont Healthcare District  
 John F. Kennedy Memorial Hospital  
 John Muir Behavioral Health Center  
 John Muir Health  
 John Muir Medical Center, Concord  
 John Muir Medical Center, Walnut Creek  
 Joyce Eisenberg Keefer Medical Center  
 Kaiser Permanente  
 Keck Hospital of USC  
 Keck Medical Center - Beverly Hills  
 Keck Medical Center - Downtown  
 Keck Medical Center - La Canada  
 Keck Medical Center of USC  
 Keck Medical Center of USC Pasadena  
 Kern Medical Center  
 Kern Valley Healthcare District  
 Kindred Healthcare  
 Kindred Hospital - Baldwin Park  
 Kindred Hospital - Brea  
 Kindred Hospital - La Mirada  
 Kindred Hospital - Los Angeles  
 Kindred Hospital - Ontario  
 Kindred Hospital - Rancho  
 Kindred Hospital - Riverside  
 Kindred Hospital - Sacramento  
 Kindred Hospital - San Diego

**Hospitals, continued**

Kindred Hospital - San Francisco Bay Area  
Kindred Hospital - San Gabriel Valley  
Kindred Hospital - Santa Ana  
Kindred Hospital - South Bay  
Kindred Hospital - Tri-City  
Kindred Hospital - Westminster  
La Palma Intercommunity Hospital  
Los Angeles County LAC+USC Healthcare Network  
Lakewood Regional Medical Center  
Lodi Memorial Hospital  
Lompoc Valley Medical Center  
Long Beach Memorial Medical Center  
Los Alamitos Medical Center  
Los Angeles County Harbor/UCLA Medical Center  
Los Angeles County Olive View/UCLA Medical Center  
Los Robles Hospital & Medical Center  
Lucile Packard Children's Hospital  
Mad River Community Hospital  
Madera Community Hospital  
Mammoth Hospital  
Marian Regional Medical Center  
Marin General Hospital, Greenbrae  
Marina Del Rey Hospital  
Marshall Medical Center  
Martin Luther King Jr. Community Hospital  
Mayers Memorial Hospital District  
MemorialCare Health System  
Memorial Hospital Los Banos  
Memorial Hospital of Gardena  
Memorial Medical Center  
Mendocino Coast District Hospital  
Menifee Valley Medical Center  
Menlo Park Surgical Hospital  
Mercy General Hospital  
Mercy Hospital of Folsom  
Mercy Hospitals of Bakersfield – Southwest Campus  
Mercy Hospitals Bakersfield – Truxton Campus  
Mercy Medical Center Merced – Community Campus  
Mercy Medical Center Mt. Shasta  
Mercy Medical Center Redding  
Mercy San Juan Medical Center  
Methodist Hospital of Sacramento  
Methodist Hospital of Southern California  
Miller Children's Hospital, Long Beach  
Mills-Peninsula Health Services  
Mission Community Hospital  
Mission Hospital  
Mission Hospital Laguna Beach  
Modoc Medical Center  
Montclair Hospital Medical Center  
Monterey Park Hospital  
North Sonoma County Healthcare District  
NorthBay Healthcare Corporation  
NorthBay Medical Center  
NorthBay VacaValley Hospital  
Northern Inyo Hospital  
Northridge Hospital Medical Center  
Novato Community Hospital  
Oak Valley Hospital  
O'Connor Hospital  
Olympia Medical Center  
Orange Coast Memorial Medical Center  
Oroville Hospital  
Pacific Hospital of Long Beach  
Palm Drive Hospital  
Palomar Health  
Palomar Medical Center  
Palo Verde Hospital  
Paradise Valley Hospital  
Parkview Community Hospital Medical Center  
Patients' Hospital of Redding  
Petaluma Health Care District  
Petaluma Valley Hospital  
PIH Health Hospital  
Pioneers Memorial Healthcare District  
Placentia-Linda Hospital  
Plumas District Hospital  
Pomerado Hospital  
Pomona Valley Hospital Medical Center  
Prime Healthcare Services  
Promise Hospital of San Diego  
Providence Health & Services – California  
Providence Holy Cross Medical Center  
Providence Little Company of Mary Medical Center,  
San Pedro  
Providence Little Company of Mary Medical Center,  
Torrance  
Providence Saint Joseph Medical Center  
Providence Tarzana Medical Center  
Queen of the Valley Medical Center  
Rady Children's Hospital – San Diego  
Rancho Los Amigos National Rehabilitation Center  
Rancho Springs Medical Center  
Redlands Community Hospital  
Redwood Memorial Hospital  
Regional Medical Center of San Jose  
Ridgecrest Regional Hospital  
Riverside Community Hospital  
Riverside County Regional Medical Center  
Ronald Reagan UCLA Medical Center  
Saddleback Memorial Medical Center - Laguna Hills  
Saddleback Memorial Medical Center - San Clemente  
Saint Agnes Medical Center  
Saint Louise Regional Hospital  
Salinas Valley Memorial Healthcare System  
San Antonio Community Hospital  
San Bernardino Mountains Community Hospital District  
San Dimas Community Hospital  
San Gabriel Valley Medical Center  
San Geronio Memorial Hospital  
San Joaquin Community Hospital  
San Joaquin General Hospital  
San Joaquin Valley Rehabilitation Hospital  
San Leandro Hospital  
San Ramon Regional Medical Center  
Santa Barbara Cottage Hospital  
Santa Clara Valley Medical Center  
Santa Rosa Memorial Hospital  
Santa Ynez Valley Cottage Hospital  
Scripps Green Hospital  
Scripps Health  
Scripps Memorial Hospital Encinitas  
Scripps Memorial Hospital La Jolla





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## MICRA Coalition Supporters

### Hospitals, continued

Scripps Mercy Hospital  
Seneca Healthcare District  
Seton Coastsides  
Seton Medical Center - Daly City  
Sequoia Hospital  
Sharp Chula Vista Medical Center  
Sharp Coronado Hospital  
Sharp Grossmont Hospital  
Sharp HealthCare  
Sharp Mary Birch Hospital For Women & Newborns  
Sharp McDonald Center  
Sharp Memorial Hospital  
Sharp Memorial Outpatient Pavilion  
Sharp Mesa Vista Hospital  
Shasta Regional Medical Center  
Sherman Oaks Hospital  
Sierra View District Hospital  
Sierra Vista Hospital  
Sierra Vista Regional Medical Center  
Simi Valley Hospital  
Sonoma Valley Hospital  
Sonora Regional Medical Center  
Southern Humboldt Community Healthcare District  
Southern Inyo Hospital  
Southern Mono Healthcare District  
Southwest Healthcare System  
Stanford Hospital & Clinics  
St. Bernardine Medical Center  
St. Elizabeth Community Hospital  
St. Francis Medical Center  
St. Helena Hospital, Center for Behavioral Health  
St. Helena Hospital, Clear Lake  
St. Helena Hospital Napa Valley/Adventist Health  
St. John's Pleasant Valley Hospital  
St. John's Regional Medical Center  
St. Joseph Health System  
St. Joseph Hospital, Eureka  
St. Joseph Hospital, Orange  
St. Joseph's Behavioral Health Center  
St. Joseph's Medical Center  
St. Jude Medical Center, Fullerton  
St. Luke's Campus, California Pacific Medical Center  
St. Mary Medical Center  
St. Mary Medical Center, Apple Valley  
St. Mary's Medical Center  
St. Rose Hospital  
St. Vincent Medical Center  
Surprise Valley Health Care District  
Sutter Amador Hospital  
Sutter Auburn Faith Hospital  
Sutter Center for Psychiatry  
Sutter Coast Hospital  
Sutter Davis Hospital  
Sutter Delta Medical Center

### Hospitals, continued

Sutter Lakeside Hospital  
Sutter Maternity and Surgery Center of Santa Cruz  
Sutter Medical Center - Sacramento  
Sutter Medical Center of Santa Rosa  
Sutter Roseville Medical Center  
Sutter Solano Medical Center  
Sutter Tracy Community Hospital  
Tahoe Forest Hospital District  
Tehachapi Valley Healthcare District  
Telecare Corporation  
Tenet Healthcare  
Torrance Memorial Medical Center  
Totally Kids Rehabilitation Hospital  
Trinity Hospital  
Tri-City Medical Center  
Tri-City Regional Medical Center  
Tulare Regional Medical Center  
Twin Cities Community Hospital  
UCLA Santa Monica Medical Center  
UC San Diego Health System  
UCSF Medical Center  
Ukiah Valley Medical Center  
University of California, Davis, Medical Center  
University of California, Irvine, Medical Center  
University of Southern California Medical Center  
USC Norris Comprehensive Cancer Center and Hospital  
USC Norris Westside Cancer Center  
USC Verdugo Hills Hospital  
ValleyCare Health System  
Valley Presbyterian Hospital  
Victor Valley Global Medical Center  
Washington Hospital Healthcare System  
Watsonville Community Hospital  
West Anaheim Medical Center  
West Hills Hospital & Medical Center  
Western Medical Center - Anaheim  
Western Medical Center - Santa Ana  
White Memorial Medical Center  
Whittier Hospital Medical Center  
Woodland Healthcare

### Medical Groups

Affiliated Doctors of Orange County  
Affinity Medical Group  
Alta Bates Medical Group  
AppleCare Medical Group  
Arch Health Partners  
Bakersfield family Medical Center  
Bay Valley Medical Group  
Beaver Medical Group  
Brown & Toland Physicians  
Cedars-Sinai Medical Group  
Children's Physicians Medical Group  
Chinese Community Health Care Association

**Medical Groups, continued**

Choice Medical Group  
 Coastal Communities Physician Network  
 Desert Oasis Health Care  
 Doctors of USC  
 Facey Medical Group  
 Golden Empire Managed Care, Inc.  
 HealthCare Partners Medical Group  
 Heritage Provider Network  
 Heritage Victor Valley Medical Group  
 High Desert Medical Group  
 Hill Physicians Medical Group  
 Lakeside Medical Group  
 MemorialCare Medical Foundation  
 MemorialCare Medical Group  
 Mercy Medical Group  
 Mills-Peninsula Medical Group  
 Monarch HealthCare  
 NAMM California  
 Physicians Medical Group of Santa Cruz County  
 Pioneer Medical Group  
 PrimeCare Medical Network, Inc.  
 Regal Medical Group  
 Sansum Clinic  
 Santé Health System, Inc.  
 Sharp Community Medical Group  
 Sharp Rees-Stealy Medical Group  
 Sierra Medical Group  
 Sutter Gould Medical Foundation  
 Sutter Independent Physicians  
 SynerMed, Inc.  
 Talbert Medical Group  
 The Permanente Medical Group, Inc.  
 UCLA Medical Group

**Medical and Dental Societies**

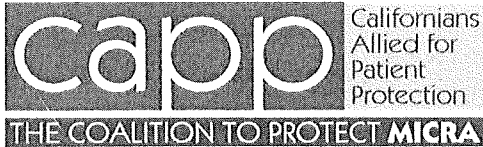
Alameda-Contra Costa Medical Association  
 Alameda County Dental Society  
 Arab-American Dental Society  
 Armenian American Medical Society  
 Berkeley Dental Society  
 Butte-Glen Medical Society  
 Butte Sierra District Dental Society  
 Central Coast Dental Society  
 Contra Costa Dental Society  
 Fresno-Madera Dental Society  
 Fresno-Madera Medical Society  
 Harbor Dental Society, Inc.  
 Humboldt Del-Norte County Medical Society  
 Humboldt Del-Norte Dental Society  
 Imperial County Medical Society  
 Indian Dental Association of California  
 Inyo-Mono County Medical Society  
 Iranian Dental Association of California  
 Kern County Dental Society  
 Kern County Medical Society  
 Kings County Medical Society  
 Lassen-Plumas-Modoc-Sierra County Medical Society  
 Los Angeles County Medical Association  
 Los Angeles Dental Society  
 Marin County Dental Society  
 Marin Medical Society

**Medical and Dental Societies, continued**

Mendocino-Lake County Medical Society  
 Merced-Mariposa County Medical Society  
 Mid-Peninsula Dental Society  
 Monterey Bay Dental Society  
 Monterey County Medical Society  
 Napa County Medical Society  
 Napa-Solano Dental Society  
 North Valley Medical Association  
 Northern California Dental Society  
 Orange County Dental Society  
 Orange County Medical Association  
 Placer Nevada County Medical Society  
 Redwood Empire Dental Society  
 Riverside County Medical Association  
 Sacramento District Dental Society  
 San Benito County Medical Society  
 San Bernardino County Medical Society  
 San Diego County Dental Society  
 San Diego County Medical Society  
 San Fernando Valley Dental Society  
 San Francisco Dental Society  
 San Francisco Medical Society  
 San Gabriel Valley Dental Society  
 San Joaquin Dental Society  
 San Joaquin Medical Society  
 San Luis Obispo County Medical Association  
 San Mateo County Dental Society  
 San Mateo County Medical Association  
 Santa Barbara County Medical Society  
 Santa Barbara-Ventura County Dental Society  
 Santa Clara County Dental Society  
 Santa Clara County Medical Association  
 Santa Cruz County Medical Society  
 Sierra Sacramento Valley Medical Society  
 Solano County Medical Society  
 Sonoma County Medical Association  
 Southern Alameda County Dental Society  
 Southern California Filipino Dental Society  
 Stanislaus Dental Society  
 Stanislaus Medical Society  
 Tri-County Dental Society  
 Tulare County Medical Society  
 Tulare-Kings Dental Society  
 Tuolumne County Medical Society  
 Ventura County Medical Association  
 Western Los Angeles Dental Society  
 Yosemite Dental Society  
 Yuba-Sutter-Colusa Medical Society

**Organizations Committed to Disease Prevention**

25<sup>th</sup> Street Family Medicine  
 American Bone Health  
 Breast Cancer Connections  
 California Dialysis Council  
 California Family Health Council  
 Hemophilia Council of California  
 Infectious Disease Association of California  
 Latino Coalition for a Healthy California  
 PADRES Contra El Cancer  
 Southern California Alcohol and Drug Programs, Inc.



1215 K Street, Suite 2015, Sacramento, CA 95814

tel 916.448.7992 fax 916.448.0234 www.micra.org

## MICRA Coalition Supporters

### **Provider-Owned Professional Liability Carriers**

BETA Healthcare Group

California Healthcare Insurance Company

Cooperative of American Physicians

Med America Mutual

Medical Insurance Exchange of California

Medical Protective Group

NORCAL Mutual Insurance Company

Ophthalmic Mutual Insurance Company

Physicians Reimbursement Fund, Inc.

Podiatry Insurance Company of America

The Dentists Insurance Company

The Doctors Company



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## Trial Lawyers' Ballot Measure to Change MICRA Will Increase Health Care Costs for State and Local Governments

Trial lawyers and their allies filed a November 2014 ballot measure to make it easier for lawyers to file meritless lawsuits against health care providers and to generate more legal fees for themselves. The initiative changes California's landmark Medical Injury Compensation Reform Act (MICRA) to increase the cap on speculative, non-economic damages from the \$250,000 to nearly \$1.1 million. The measure will significantly increase health care costs for California's state and local governments by billions each year. That is why a broad coalition of more than 800 groups representing local governments, school districts, doctors, community clinics, nurses, hospitals, EMTs, labor unions, employer groups and others oppose the trial lawyer changes and support MICRA.

### Measure Increases Meritless Lawsuits and Lawyer Fees

- Quadrupling the limit on non-economic damages gives trial lawyers incentive to take on non-meritorious cases because they can reap more in legal fees, and the possibility of an out of court settlement is more likely. Under the measure, trial lawyers could collect three times more in legal fees than they can today on non-economic damages.

### Measure Increases Health Care Costs for State and Local Governments by Billions Each Year – Jeopardizing Funding for Vital Services

- A recent economic study by California's former non-partisan Legislative Analyst finds that changing MICRA will increase health care costs for state, federal, county, city governments, and special district, K-12, UC and community college budgets by \$2 billion each year.
- These entities, 1) Provide health and dental benefits for current and retired employees; and 2) Operate clinics, hospitals and other health services, and provide health care for Californians through Medi-Cal and other state-sponsored programs.
- According to the analysis by the former LAO , increasing the MICRA non-economic damages cap to \$1.1M would increase health care costs for California's state and local government entities by the following amounts yearly:

State Government	\$1.08 billion
Higher education (UC and CSU)	\$86 million
K-12 schools	\$170 million
Community colleges	\$25 million
Counties	\$297 million
Cities (including San Francisco)	\$173 million
Special districts	<u>\$111 million</u>
Total: California State and local government	<b>\$1.94 billion</b>

### Measure Increases Consumer Health Care Costs by Billions Each Year

- Defending against meritless lawsuits wastes precious health care resources. Further, empirical studies show that concern about getting hit with a meritless lawsuit causes providers to practice "defensive medicine," ordering costly and medically unnecessary tests to "cover themselves" in case they are sued. The end result is increased health care costs for patients, and operating costs for doctors, hospitals and community clinics.
- The same study by California's former non-partisan Legislative Analyst found that increasing the cap to \$1.1 million would increase total health care costs in California by \$9.9 billion annually.

## Trial Lawyers' MICRA Change Reduces Access to Health Care Services

- California already has a shortage of doctors, and with health care reform expanding coverage for millions more, this shortage will become even more severe.
- The trial lawyers' measure will create even longer lines in emergency rooms, long waits to see specialists, and reduced access to women's services like OBGYNs – making it harder for patients to see their doctors.

## MICRA Works in California

- MICRA ensures patients receive fair compensation, while preserving access to important health care services for all Californians.
- The public supports MICRA. According to a recent poll conducted by Californians Allied for Patient Protection (CAPP), 59 percent of voters support the law.
- The California State Legislature passed MICRA to control the rapidly increasing cost of doctors' malpractice insurance, which was threatening access to health care because medical lawsuits were rampant. Specifically, MICRA provides:

<b>UNLIMITED</b>	Economic damages for all past and future medical costs.
<b>UNLIMITED</b>	Economic damages for lost wages, lifetime earning potential and for any other conceivable economic losses.
<b>UNLIMITED</b>	Punitive damages, which seek to punish a defendant.
<b>ADDITIONAL</b>	Up to \$250,000 available for non-economic damages, sometimes called pain and suffering awards.

- MICRA also sets limits on the amount of fees that lawyers can take as payment for representing an injured patient, so that patients, not lawyers, receive more.
- Under MICRA, payments to patients have gone up at more than twice the rate of inflation.
- MICRA is a critical part of California's health care system. It has helped lower health care costs and stabilized medical liability rates so doctors, clinics and other providers can remain in practice, treating patients.
- A look at two states, one with reforms similar to MICRA, and one without, offers insight into the importance of medical liability reforms.
  - According to the Texas Alliance for Patient Access, Texas enacted medical liability reforms in 2003 and has since added more than 14,000 in-state, active physicians. Additionally, 35 rural Texas counties have added at least one obstetrician, including 16 counties that previously had none; 46 counties that did not have an emergency medicine physician now do; 15 counties that did not have a cardiologist now do.
  - In New York, a state without reforms, 19 counties are without obstetricians, 22 are without internal medicine specialists and 15 do not have surgical specialty doctors, according to a 2010 study by The Center for Health Workforce Studies. According to a July 2012 story in the *New York Times*, several hospitals in NYC are partially or completely without liability insurance due to the high cost of liability premiums.