



TO: All Honorable Members of the Pennsylvania Senate

FROM: Sam Denisco, Vice President, Government Affairs

DATE: February 5, 2019

RE: Support Senate Resolution 20 without amendment

On behalf of the PA Chamber of Business and Industry, I respectfully ask for your **support of SR 20 without amendment**. The resolution is scheduled to be considered by the Senate today. The Resolution asks the PA Supreme Court to delay the consideration of an ill-advised procedural rule change and directs the LBFC to conduct a study on medical malpractice filings post 2002 MCare reforms.

The issue of access to quality medical care came front and center over a decade ago. Then, the General Assembly enacted the MCare Act which aimed to address many issues including a judicial procedural rule that had been resulting in an inordinate amount of medical malpractice claims being filed in certain counties. MCare included a provision that created a commission to study venue. That commission issued a thorough report which the PA Supreme Court used in adopting a new court rule that provided for the filing of medical malpractice claims only in the county where the cause of action arose. By all accounts, including official court data, this rule has resulted in the equitable filing of such claims throughout the state.

Just before the new year, the PA Supreme Court Rules of Civil Procedure Committee proposed to return to the “pre MCare” venue rule with little justification.

The PA Chamber urges the Senate to acknowledge that this is a very serious issue that at the time received careful deliberation by the Legislature, an independent statutorily created commission and the Court. The PA Chamber would like that same thorough consideration be given at this time through the charges of this resolution and ask for your support.