



Oppose Limitations in Medical Payments

This Legislation Harms Health Care Providers and Patients

Vote NO on SB 80 (Sen. Stargel)

Any bill that dictates how a jury will evaluate and award past medical expenses in medical malpractice and allows wrongdoers to escape accountability. According to the Department of Health, three of the four leading causes of injury death in Florida involve aspects of personal injury. Instead of simplifying cases and making them less expensive, a bill of this nature will force victims to hire more expert witnesses, slowing down the courts and costing more money for all parties, including our Court system. These types of bills **SHOULD NOT** be supported for the following reasons:

- The legislation presents a huge access to care issue for injured victims, unfairly eliminating their ability to receive the best care after being injured by a negligent party. In their most vulnerable moments, victims shouldn't have to face the uncertainty of whether they'll be able to continue treatment or, worse, get stuck with the bill that the negligent party should have been held responsible for.
- This legislation, if passed, could force health care practitioners to spend more time in the courtroom than treating patients because they will be forced to sue their patients, the victims, for unpaid medical bills, considerably adding to the backlog in the court system while allowing the negligent party to be free and clear.
- This type of bill hurts the quality of care, forcing health care practitioners to defend the reasonableness of the charges for each treatment they perform in order to be compensated. With that mindset, doctors will be focused on whether a jury will allow them to be paid instead of what is in the best interest of the patient.
- Furthermore, this type of legislation is not needed because a number of boundaries already exist to confine awards to actual and realistic costs. The Florida Standard Jury Instructions (s.501.1) already tell juries to base awards on what "the greater weight of the evidence shows will fairly and adequately compensate" the patient. Furthermore, current law (s. 768.74, F.S.) provides a method for the judge, through post-trial motions, to reduce all awards so that there will be no runaway verdict for past and future medical expenses.

**When people are victimized by negligent parties,
they are entitled to be made whole again.**

Do NOT support a bill that gives the benefit to the negligent parties!