

# MICRA: Preserving Healthcare Access and Affordability

California's Medical Injury Compensation Reform Act (MICRA) ensures injured patients receive fair compensation while preserving patients' access to healthcare by keeping doctors, nurses and healthcare providers in practice and hospitals and clinics open. MICRA has saved healthcare consumers billions of dollars. Weakening MICRA's intent or protections will result in higher healthcare costs overall, no improvement in quality, and reduced access to services.

## Protecting Access to Healthcare Services

- Prior to MICRA, out-of-control medical liability costs were forcing community clinics, health centers, doctors, and other healthcare providers out of practice. MICRA was intended to, and has been successful in, stabilizing liability costs.
- MICRA is especially critical in protecting specialty and high-risk services, including women's healthcare, community clinics, health centers and rural providers that can least afford skyrocketing costs.
- States without medical liability reform suffer from shortages of providers leading to the closing of hospitals, clinics and trauma centers and leaving patients with no doctors in their immediate vicinity.

## Protecting Against Rising Healthcare Costs

- Increasing the amount of non-economic damages allowed under MICRA from \$250,000 to \$500,000 **would raise healthcare costs in California by at least \$9.5 billion annually**, according to the State's former non-partisan Legislative Analyst. That translates into approximately \$1,000 annually for a family of four.
- Any legislation attempting to circumvent MICRA's intent and protections will result in higher healthcare costs and reduced access to services.

## Protecting Patients' Rights and Preserving Access to the Courts

- MICRA preserves patients' access to fair compensation when they have justifiable claims, including:

<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.

- Under MICRA, the average size of medical liability awards in California has increased faster than the rate of inflation.
- MICRA limits attorneys' fees so patients, not lawyers, receive more from awards.

## Protecting California's Strong Patient Safety Record

- California has a strong patient safety record. Between 2003- 2009, California had far fewer adverse patient safety events per 100,000 people than the average of all other states. (*Source: Agency for Healthcare Research and Quality*)

## Supported by a Large and Diverse Coalition of Patient Advocates and Healthcare Providers

- CAPP includes healthcare professionals and organizations representing community clinics, health centers, emergency providers, EMTs, fire fighters, police officers, patient advocates, physicians, nurses, dentists, hospitals, health facilities, and women's health advocates, among others.