

...news, views and reviews from the Center for Justice & Democracy

CENTER FOR JUSTICE
& DEMOCRACY
****NEWS****

IN THIS ISSUE: STATE CONSUMER GROUPS

Making A Difference

Dear Friends,

With this issue of *Impact*, we wanted to take a moment to acknowledge and thank some of the important state and local organizations with whom we work, who are battling each day, against great odds, to protect consumers.

CJ&D provides many of these organizations with substantive and strategic assistance on civil justice issues, including studies for local release, research and materials. We keep them informed through our daily news digest. At the same time, we rely on these organizations for the outreach and field capacity they can provide.

Some of the best groups no longer exist due to lack of funding, including Pennsylvania's Citizens for Consumer Rights. Others are struggling badly.

We hope everyone believes a strong consumer presence in the "tort reform" war is critical. We all need your help, and greatly appreciate your support!

Sincerely,

Joanne Doroshow
Executive Director

It may seem to many that the job of protecting the civil justice system is reserved to just a few national organizations. In fact, CJ&D is the only national non-trial lawyer group dedicated exclusively to protecting the civil justice system.

However, at the state level, there are many consumer groups with whom we work that also deserve national attention for their efforts. While we try to help these groups with our own research and reports, we also owe a huge debt of gratitude to them for fighting for patients' rights, access to our courts and corporate accountability. Like CJ&D, these groups have limited resources but boundless determination and enthusiasm.

From grassroots activists groups like the Maryland Coalition for Patients' Rights - which in just over two years has rallied more than 1,800 members into their organization while relying on a full-time staff of just one person - to California's Foundation for Taxpayer and Consumer Rights, which thanks to its large and expert staff is able to produce some of the most

Connecticut Center for Patient Safety

Several years ago, as debate in the Connecticut legislature began focusing on a range of so-called "tort reforms" relating to the medical community, a group of Connecticut residents who had been personally affected by medical malpractice decided to get together and form a patients' advocacy group.

As Jean Rexford, the group's executive director points out, malpractice survivors whose cases are over do not have "deep pockets and personal financial interest" at stake in the outcome of a legislative debate. While groups such as the state medical society and others interested in passing "caps" on damages could stand to benefit from that legislation, the members of Connecticut Center for Patient Safety were in Rexford's words "speaking truth to power."

powerful and poignant research on the insurance industry and other consumer issues, these groups are having a critical impact.

As Michael Bennett, a man you will read more about later in this newsletter, told us, "The fact remains that nothing will ever be more effective than getting the public involved in these issues. All the work that goes on behind the scenes is important but incremental - you need to get the public involved to see how quickly change can really happen."

As you'll see, groups throughout the country have taken this to heart and thanks to their educational outreach and organizing, so many of the consumer rights we sometimes take for granted have remained in place during a time when special interests, maybe more so than ever, want to destroy those rights.

Here are just some of the groups that have made a huge difference in their community:

Thanks in large measure to their efforts, the caps were defeated.

Growing from what was then a small, unincorporated group of volunteers into what is now an organization boasting over 300 members, Connecticut Center for Patient Safety has under the stewardship of their president, Steve Giovanni, been able to transition into the role of advocating for positive legislation rather than simply fighting bills that would potentially harm Connecticut patients.

No doubt they'll be keeping up the good work. You can find out more about the group at their website: <http://www.ctcps.org>.





The Colorado Citizens for Accountability was founded by Executive Director Patty Skolnik in early 2006 to address the rights and safety of patients in Colorado. Please visit their website to learn more: <http://www.coloradocitizensforaccountability.org>.



Since the early 1980's, U.S. Action and Consumer Federation of America affiliated Florida Consumer Action Network has been advocating for consumer rights on a variety of fronts. Please visit their website to learn more: <http://www.fcan.org>.

Maryland Coalition for Patients' Rights

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In 2004, Michael Bennett's father, Mark, became yet another victim of an all-too-common problem in this country when he contracted a number of bacterial infections while in the hospital. These infections would later cost Mark Bennett his life.

At the time, Michael had contacted CJ&D about potential efforts to pass legislation limiting incidents of hospital-borne infections on the state and national level. As Michael has said publicly, "When my father passed on, I made a commitment to do everything in my power to rehabilitate a dysfunctional and incompetent healthcare system and to protect the rights of the victims of medical negligence."

In the very short time since, thanks in large part to one man's efforts, the Maryland Coalition for Patients' Rights has grown into a patients safety powerhouse with over 1,800 members throughout the state and has gained a real place at the table on matters relating to patients rights in Maryland and beyond.

"We're at a point now where we have politicians from all over the state asking us to endorse them, so I think we're doing pretty well," Bennett explained. Indeed. With a full-time staff of just one, this group helped defeat "over 50 tort reform bills" in their short history. "We've found that victims are the most eloquent advocates on these issues, because we speak from the heart," he said.

Knowing Michael Bennett, we have no doubt that he and his organization will continue to do just that. To learn more about the group, please visit their website at <http://www.coalitionforpatientsrights.org>.



CJ&D Illinois

In 2005, CJ&D decided it was time to expand our efforts to protect access to the court system by opening an office in Chicago, Illinois is a state in which national "tort reform" organizations have focused tremendous efforts and resources in recent years.

Through the efforts of its staff members, including researcher Akane Tsuruta, CJ&D-IL's reports and public advocacy focus on exposing this national effort in the state, and the negative consequences that so-called "tort reforms" have had on the citizens of Illinois and elsewhere.

Additionally, in this legislative session, CJ&D-IL will be advocating for nursing home reform; to ensure that the most vulnerable citizens of Illinois will be protected from harmful nursing practices; passing legislation boosting worker's safety across the state; and reforming the financing of judicial elections to ensure that judges in the state will never be compromised by their obligations to corporate interests.

As former staff director Katina Cummings told us, "CJ&D Illinois is working to educate the public about the corporate actors in Illinois and outside the state, as well as the true mission of the tort reformers - which is taking away the rights of the citizens of Illinois."

You can learn more about CJ&D-IL at their website: <http://centerjd.org/Illinois.htm>.



Texas Watch

Founded in 1998, Texas Watch has been active in innumerable Texas statehouse battles over legislation that would be potentially devastating to consumer rights for state residents. With a staff of five, Texas Watch has been working on such varied issues as homeowners insurance, workplace and medical safety and access to our court system. Texas Watch has provided a strong, informed voice for the rights of consumers in an often hostile environment.

Most recently, the group has produced an essential report on the true effects of limiting compensation for victims in medical malpractice cases, a law barely passed by voter initiative in 2003. During the current legislative session, Texas Watch is working to pass legislation that would strengthen the laws protecting whistle blowers in the state, as well as other insurance industry reforms. "We've been getting lots of positive feedback from legislators who are expressing their endorsement of consumer protections," Texas Watch's executive director Alex Winslow said.

Texas Watch continues to provide an invaluable service to both the residents of their state and consumer rights advocates throughout the country. To learn more about the group, please visit their website at: <http://www.texaswatch.org>.



Georgia Watch

Founded in 2002, Georgia Watch, has been tireless ever since in their efforts to protect consumer rights in their state. With a full-time staff of just four people, the group, through their statewide consumer education workshops and Georgia-specific research and reports on areas such as the state of health care, insurance issues and issues relating to personal finances for all Georgians, has been able to make major headway in this fight.

As Coley Ward, the group's communication director stated, "What we're all about is working to pass legislation that is going to benefit our state's residents." Given the fact that Georgia has not always been the most consumer-friendly state in our nation, their efforts provide an invaluable service to the residents of the state.

The group, led by Executive Director Allie Wall, is working on a range of laws that benefit Georgia families - from insurance industry reform; to payday lending, a predatory lending practice that seems designed to keep borrowers in debt; to legislation that would allow families of malpractice victims to address their state's medical review board. (This law is based on legislation, known as "Taylor's Law" that was passed in Massachusetts thanks to the tireless efforts of John McCormack, who lost his young daughter, Taylor, as the result of a doctor's negligence.)

With a long list of consumer rights issues in their sights, it is clear that Georgia Watch will be serving Georgians well for years to come. To learn more about Georgia Watch, visit their website at: <http://www.georgiawatch.org/>.



New England Patients' Rights Group, Inc.

For more than a decade, the New England Patients' Rights Group, under the direction of their executive director Linda DeBenedictis, has been advocating for the rights of patients throughout New England in an effort to reduce medical errors and retain access to our court-system. Here is their website to learn more: <http://www.newenglandpatientsrights.org/>.



Arkansas Advocates
for
Nursing Home Residents

Based in Little Rock, the Arkansas Advocates for Nursing Home Residents is a grassroots organization dedicated to improving the lives of nursing home residents throughout the state. Please visit their website to learn more: <http://www.aanhr.org/>.

The Foundation for Taxpayer & Consumer Rights



One of the most powerful and active advocates for consumer rights in this country is the Foundation for Taxpayer & Consumer Rights (FTCR), based in Santa Monica, California. The group, which has a staff of ten, has been a leader in the field of consumer rights since the mid-1980's. Growing out of the 1988 successful effort to pass by voter initiative the country's strongest insurance reform law, Prop. 103, FTCR now works on exposing corporate corruption and industry misdeeds in many arenas.

Additionally, the group has been instrumental in their work exposing the truth behind the medical malpractice (MICRA) caps passed in California in 1975, which despite some assertions to the contrary, did nothing to reduce malpractice rates for doctors operating in the state and has severely hurt catastrophically-injured patients.

But while the group has been active on all fronts concerning consumer rights, many have come to know them also as a foil to the current governor of California, Arnold Schwarzenegger. While the governor has been intent on serially pushing policies that would be harmful to consumers, there is no doubt that he and his staff are aware that the very formidable watchdogs at FTCR will be watching and making sure his misdeeds do not go unnoticed.

If you have not had the chance to visit this group's website, we suggest you do. You'll doubtlessly find yourself both entertained, and more to the point, vastly more informed: <http://www.consumerwatchdog.org/>.



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Americans for Insurance Reform

In 2002, CJ&D formed Americans for Insurance Reform (AIR), the nation's largest consumer coalition advocating insurance industry reforms, which includes over 100 national and local consumer groups from over 30 states.

Through its spokespeople J. Robert Hunter, Director of Insurance for the Consumer Federation of America, and Joanne Doroshow, Executive Director of CJ&D, AIR has continued to be active on the insurance reform issue through the production of new studies that are both national and state-specific in scope.

In the wake of Hurricane Katrina, AIR set up a hotline for policyholders who were having difficulty securing the insurance money they were owed. The result was astounding. In the subsequent months, AIR took calls from hundreds of area residents, the substance of

which were reproduced in a report entitled "The Insurance Industry's Troubling Response to Hurricane Katrina," which has become a touchstone for anyone working on issues relating to hurricanes and the insurance industry.

More recently, AIR has promoted a comprehensive study by CFA detailing the staggering profit increases made by the insurance industry in recent years. To read this report and others shedding light on an industry all too happy to have their practices remain in the shadows, visit AIR's website at <http://centerjd.org/air/>.



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