

October 19, 2006

Dear Governor Blagojevich and Members of the Illinois Legislature:

At the time you were considering the law that caps damages for medical malpractice victims, many patients like us urged you to reject the proposal. We told you about the devastating impact it would have on families like ours and that it would do nothing to help control insurance rates for doctors.

Now it turns out, we were right. As you know, last week, Berkshire Hathaway's Med Pro, a malpractice insurer, announced that they are greatly expanding coverage and reducing insurance costs by more than 30 percent. The company claims they are able to do so because of a provision in Illinois' new insurance law that requires insurers to share information as to how they set their rates. They say expressly this action was not because of the caps.

What's more, no sooner did the cap bill pass than ISMIE, Illinois largest med mal insurer, went forward with a proposed rate increase that the Division of Insurance (DOI) called "problematic." DOI then ordered that these rates be reduced by 3.5 percent after DOI investigated the company's ratemaking structure.

Clearly, the cap on damages did nothing to reduce rates. This is only happening because of the state's stronger insurance regulation. In the meantime, patients have needlessly suffered as a result of the cap.

In light of these developments, we again respectfully request that you repeal the cruel cap on compensation for medical malpractice cases. The cap is both harmful and ineffective and should not be law in Illinois.

Sincerely,

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Elie and Kathy Ghawi, St. Charles, IL

Jessica Perk, Posen, IL

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