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MEDICAL MALPRACTICE SURVIVORS CONDEMN PROPOSALS TO LIMIT NEW YORK PATIENTS' LEGAL RIGHTS

Joined by the Center for Justice & Democracy, Medical Malpractice Survivors Protest Secret Backroom Gathering of State Lawmakers at NY Hotel Where a NY Business Group Sponsored a Meeting for Legislators to Be Pitched the Proposal

New York – Medical malpractice survivors from New York, joined by the Center for Justice & Democracy, today protested proposals released late yesterday as part of the Governor's budget, which would impose permanent, government-mandated limits on the legal rights of those injured by medical malpractice. According to the group, these proposals target for particular ruin the lives of brain-damaged babies.

The protest took place outside New York's Regency Hotel, where a secret gathering of lawmakers was to take place -- hosted by the business group, the Partnership of New York City -- where the proposal would be pitched. It comes at a crucial time following the announcement yesterday of the Governor's budget containing Draconian restrictions on the rights of victims of medical malpractice. Patients and consumer groups are asking lawmakers to oppose this legislation and to stand up for the rights of all New Yorkers to obtain justice through our courts system when they or their child are harmed by negligent health care.

"These proposals, which would condemn catastrophically-injured babies to a lifetime of additional hardship and misery, came out of Governor Andrew Cuomo's Medicaid Redesign Team, which was dominated by self-dealing lobbyists and hospital executives making Wall Street level salaries," said Joanne Doroshow, Executive Director of consumer group, the Center for Justice & Democracy. "These proposals will create a financial windfall for negligent hospitals, incompetent health care providers and their insurance companies. It is part of a shameful budget deal that was written behind the closed doors of state government. Now we discover that it is being pitched to legislators behind the closed doors of a back room at the Regency Hotel, which the *New York Times* has called the birthplace of the 'power breakfast.' So much for transparency, openness and ethics, the ideas on which the Governor was elected."

"We are outraged that malpractice victims are being used as a bargaining chip to strike a budget deal, and that through the back door a group of hospital executives and business interests seek to

leverage their mammoth influence and power to eliminate our legal right to sue and recover for even the most horrific medical injuries,” said Leslie Lewis. Leslie’s son Miles died of AIDS five years after being given HIV-tainted plasma after birth, and his twin brother Chris was left permanently blind in one eye and nearly blind in the other due to correctible eye condition detected by a doctor but never treated or discussed with parents. “Much of health care delivery and economics in this state and country needs fixing, but not on the backs of medical malpractice victims,” she said.

“It’s outrageous that this process has been conducted in secrecy and hidden from the public by a back-door budget maneuver. This proposal will strip victims of their rights and their ability to function independently in society,” said Lisa Brower. Lisa and John Brower’s then 5-year-old son Jake contracted in the hospital a fungus typically found in dead leaves or construction sites. He and his family spent the next 2 ½ years fighting for his life.

“These proposals demonstrate astounding insensitivity to the problems created by medical negligence in New York and the need for patients to have the ability to seek compensation and justice,” said Joanne Doroshov. “It is crucial that New York’s legislature resist pressure from the Governor, wealthy hospital executives and lobbyists, the insurance industry, the medical establishment and the business community to so cruelly harm innocent patients,” she continued.

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