

July 7, 2009

President Barack Obama  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

Dear President Obama:

We are writing again to request a meeting with you to discuss the issue of medical malpractice, to which you referred in your June 15 speech to the American Medical Association. We are part of a group of survivors of medical negligence who believe it is vital that our voices be heard in any discussion that could result in curbing the legal rights of seriously injured patients.

In your AMA speech, you made reference to “evidence-based guidelines” and “defensive medicine.” We want to make sure you know that establishing “evidence-based guidelines” as legal standards would be extremely problematic, as the attached fact sheet from Center for Justice & Democracy helps demonstrate. We are also concerned about so-called “Sorry Works” ideas that unfairly burden patients, such as when accompanied by measures that require or pressure unrepresented injured patients to negotiate with providers and their insurance attorneys, before the patient is allowed to proceed in court.

People like us and our families certainly do not feel as though doctors and hospitals practice too much “defensive medicine,” or that lawsuits against negligent providers are frivolous, or that there is any justification for eliminating or restricting the right to jury trial in medical malpractice cases. Patients deserve to have an unbiased judge and jury, which have heard all the facts and weighed all the evidence, decide if care is negligent and what the compensation for their losses should be. That decision should not be made by political officials or biased medical societies.

Further, tackling medical malpractice issues will not bring down health care costs according to every government study that has looked into this. The Congressional Budget Office has confirmed, “malpractice costs account for less than 2 percent of [health care] spending.” Blaming so-called “defensive medicine” for growing health care costs is also bogus. Listen to our stories and you will understand why no credible government study supports the notion that “defensive medicine” is a problem. Most recently, the General Accountability Office harshly criticized evidence continuously cited by the American Medical Association that the tort system encourages defensive medicine.

Nobody appreciates the need to have competent doctors available to serve in every area of this country more than people like us who have been patients. But making it more difficult for us to bring legitimate cases against negligent providers will make matters worse and certainly not solve this country's real medical malpractice crisis, which now costs the lives of more than 98,000 people each year. It will only reduce accountability in the system and re-victimize people who are already victims.

Please contact our representative in New York, Joanne Doroshow, from the consumer group Center for Justice & Democracy, to follow up on this request. You can reach her at (212) 267-2801 or email her at [joanned@centerjd.org](mailto:joanned@centerjd.org). Thank you for your consideration.

Sincerely,

Alan Apter  
Duluth, MN

Cindy and Bruce Gustafson  
Littleton, CO

Rebecca Ball  
Thompson, CT

Leslie Haag  
Bacliffe, TX

Michael Bennet  
Baltimore, MD

Donna Harnett  
Chicago, IL

Earlene Burney  
Clarksville, TN

Helen Haskell  
Columbia, SC

Sharon Caulder  
Chesterfield, SC

Carole and Joe Hemmelgarn  
Highlands Ranch, CO

Bill Collins  
Norwalk, CT

Jack Hickey-Williams  
Newtown, CT

Elizabeth Colloty  
Ridgefield, CT

Vera Holmes  
Irmo, SC

Linda Debenedictis  
Norwood, MA

Cynthia and Justin Iriondo  
South Windsor, CT

Ellen Delisio  
Middletown, CT

Bobbie Jenke  
Santa Rosa, CA

Mathy Milling Downing  
Laytonsville, MD

Shigeru and Sandra Katada  
McKinney, TX

Vernon and Shawna Gardner  
Lewellen, NE

Sherry Keller  
Conyers, GA

Lisa and Michael Gourley  
Valley, NE

Amy Kyllonen  
Prior Lake, MN

Steve Govoni  
Rowayton, CT

Mary Ellen and Patrick Ladd  
West Hartford, CT

Gary Lampman  
Hendersonville, TN

Paul Lyon  
Kingston, PA

Dylan and Christine Malone  
Everett, WA

Susan Manganello  
Newington, CT

Tina Minasian  
Roseville, CA

Rebecca Martins  
Warren, ME

Justin Mattes  
Woodcliffe Lake, NJ

John McCormack  
Pembroke, MA

Vicki McDonough  
Commerce City, CO

Joe Mungai  
Elgin, IL

Marie Naish  
Tarrant, AL

Michael Nystrom  
Mystic, CT

Patti O'Regan, ARNP, ANP, NP-C,  
PMHNP-BC  
Port Richey, FL

Kathy, Scott, and Steve Olsen  
Chula Vista, CA

Anetta Parker  
Houston, TX

Carolyn Passero  
Westport, CT

Jean Rexford  
Redding, CT

Myra Richardson  
Carson, WA

Ruben Rodriquez  
Yonkers, NY

Deb Shaw  
Half Moon Bay, CA

Patty Skolnik  
Denver, CO

Julie Smith  
Reidville, SC

Jay and Sue Stratman  
Chesterfield, MO

Ken and Brenda Stoltz  
Leesburg, VA

Bart Windum  
Boulder, CO

Suzie Zionkowski  
Aiken, SC