



**EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503**

June 13, 2017  
(House)

## **STATEMENT OF ADMINISTRATION POLICY**

**H.R. 1215 – Protecting Access to Care Act of 2017**  
(Rep. King, R-IA, and three cosponsors)

The Administration supports H.R. 1215, the Protecting Access to Care Act of 2017. The rising cost of healthcare is a major concern in our Nation. State medical liability rules often allow for unlimited non-economic damages. This encourages providers to practice defensive medicine, increases the cost of healthcare, and imposes a significant burden on healthcare providers.

H.R. 1215 would limit non-economic damages to \$250,000 and limit the fees lawyers may charge in a healthcare lawsuit. The bill would also impose a three-year statute of limitations on such lawsuits. H.R. 1215 would apply to healthcare lawsuits where coverage was provided through a Federal program, subsidy, or tax benefit. The bill reflects a reform proposed in President Trump's Fiscal Year 2018 budget.

In addition to the provisions in H.R. 1215, the President's FY 2018 Budget proposal would also modify the collateral source rule to allow evidence of a claimant's income from other sources to be introduced at trial. The proposal would provide a safe harbor for providers based on defined clinical standards; authorize the Secretary of Health and Human Services to provide guidance to States to create expert panels and administrative healthcare tribunals; and exclude provider expressions of regret or apology from evidence in a healthcare lawsuit. These additional policies would likely generate additional savings to patients and to the Federal Government by reducing unnecessary medical services. They may also promote evidence-based practices, reduce provider burden, and improve relationships between physicians and patients. Moving forward, the Administration encourages the Congress to enact the additional medical malpractice reform proposals contained in President Trump's budget.

If H.R. 1215 were presented to the President, his senior advisors would recommend that he sign the bill into law.

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