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TO: The Honorable Delores G. Kelley, Chair
The Honorable William C. Smith, Jr.
Members, Senate Finance Committee
Members, Senate Judicial Proceedings Committee

FROM: J. Steven Wise
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DATE: March 5, 2020

RE: **SUPPORT** – Senate Bill 879 – *Public Health – Maryland Infant Lifetime Care Trust Funded by HSCRC and Maryland Patient Safety Center Duties*

On behalf of the Maryland State Medical Society (MedChi) and the Maryland Section of the American College of Obstetricians and Gynecologists (MDACOG), we submit this letter of **support** for Senate Bill 879.

Senate Bill 879 establishes a Trust that will provide compensation and benefits for claims asserted against health care practitioners or hospitals in connection with birth injuries, where an infant is permanently neurologically and physically impaired. These injuries can be devastating to the infant and their family or caregiver and require health care and other resources be made available to them, in amounts often running into the millions of dollars. The awards or settlements for these costs are borne by the hospital, the providers and their insurers, driving up their liability costs and the cost of health care generally.

The Trust established under Senate Bill 879 will help ensure that the infant and caregivers are given the resources they need to provide proper care for the injured party. At the same time, the Trust helps the hospitals and providers manage the costs of damage awards stemming from these cases. The Trust is funded through an assessment on those hospitals that provide acute obstetrics, neonatal intensive care, newborn and premature nursery, normal newborn or labor and delivery services. It can be accessed on application to the Trust by any qualifying party.

Considering the recent \$220 million verdict against Johns Hopkins, MedChi and MDACOG believe this legislation is a necessary step to ensure that birth-related health care services remain available in our State, and that injured claimants are assured of proper care resulting from birth injuries.

For these reasons, MedChi and MDACOG support Senate Bill 879.

For more information call:

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