

April 27, 2022

The Honorable Tom Umberg
California State Senate
1021 O Street, Suite 6730
Sacramento, CA 95814

The Honorable Eloise Reyes
California State Assembly
1021 O Street, Suite 8210
Sacramento, CA 95814

SUBJECT: AB 35 – Support

Dear Senator Umberg and Assemblymember Reyes,

The members of Californians Allied for Patient Protection (CAPP), the MICRA coalition, are pleased to support AB 35, which would modify California’s Medical Injury Compensation Reform Act of 1975.

California’s health care community has reached an agreement that will extend the long-term predictability and sustainability of the state’s medical malpractice law. AB 35 will settle a decades-long divide on the medical malpractice issue and will result in the withdrawal of a November 2022 ballot measure.

AB 35 keeps in place MICRA’s essential cost control guardrails while protecting the rights of injured patients. The agreement strikes a new balance by doing two things:

- Extending the long-term predictability and affordability of state liability protections for those providing medical care in California, and
- Providing a fair and reasonable increase to limits on non-economic damages (there is no cap on economic damages such as medical costs or lost salaries) for medical malpractice starting January 1, 2023 – with gradual increases thereafter.

An “aye” vote on AB 35 will allow California to put this issue behind us and avoid uncertain and disruptive ballot measure campaigns. AB 35 will start a new and sustained era of stability around malpractice liability.

For these reasons, the members of CAPP are pleased to be united in supporting AB 35 and we urge an “aye” vote when it is before you for consideration.

Sincerely,

