



# Pennsylvania Orthopaedic Society

510 North Third St., 3<sup>rd</sup> Fl., Harrisburg, PA 17101 717.909.8901 717.909.8906 (F) info@paorthosociety.org

October 11, 2012

Hon. Nicholas Micozzie  
Chairman, House Insurance Committee  
105 Ryan Office Building  
PO Box 202163  
Harrisburg, PA 17120

Dear Chairman Micozzie:

On October 16, 2012, the House Insurance Committee will hold a public hearing on HB 2299 PN 3501. Introduced by Representative Bryan Cutler, HB 2299 provides needed medical liability relief for physicians providing emergency health care services. On behalf of the Pennsylvania Orthopaedic Society's (POS) more than 900 surgeon members, I am writing to express our unqualified support for HB 2299.

Over the past dozen years, the Pennsylvania General Assembly has taken many strides toward creating a stable health care delivery environment. HB 2299 is a logical and necessary next step in the journey to preserve the patient/physician relationship. POS thanks Representative Cutler for sponsoring this initiative.

Most orthopaedic surgeons are required by hospital contracts or rules to provide emergency health care services in emergency departments. Known as "being on call", this obligation puts orthopaedic surgeons at significant risk in medical liability cases. Unlike patients we treat in our offices or surgical centers, patients who present in emergency departments generally do not have medical records or histories to guide our treatment. In these circumstances, we use our best skill and knowledge to care for patients who for the most part, cannot aid in their treatment.

But even using our best skill and knowledge, many times orthopaedic surgeons and other emergency physicians find themselves in court over issues we did not and could not know at the time emergency health care services were provided. Fortunately, HB 2299 will provide a measure of relief in such cases. As the House Insurance Committee moves forward in your consideration of HB 2299, please know that the Pennsylvania Orthopaedic Society fully endorses this vital legislation and requests you report it to the full House for consideration.

Thank you for the opportunity to comment on this important initiative.

Greg Gallant, MD, MBA  
President