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Congress of the United States
House of Representatives
Washington, DC 20515-3012

HOUSE COMMITTEE ON
OVERSIGHT AND GOVERNMENT
REFORM

Dear Colleague,

I am writing to express my strong opposition to H.R. 1215, the so-called "*Protecting Access to Care Act*" and to encourage you to vote no when it comes to the House floor today. Under the false premise of improving health care affordability, the only goal this bill would achieve is trampling on the legal rights of Americans harmed medically in health care settings. Congress needs to eliminate obstacles barring injured and maimed Americans from seeking justice, not increase them.

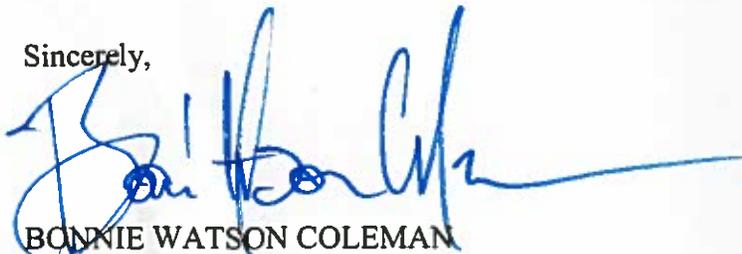
If enacted, the *Protecting Access to Care Act* would roll back legal rights and protections for all Americans. This bill would devastate the catastrophically injured by capping noneconomic damages to \$250,000—a cap that applies even for loss of limb, permanent disability, or death of a child or spouse. These caps don't just apply to medical malpractice, but simply "health care lawsuits," which could extend to reckless misconduct or violent crimes like assault or rape.

This bill further erodes the right to trial by jury by imposing an arbitrary 3- year statute of limitations, which is shorter than most state laws. The bill severely limits the amount of contingency fees available to attorneys. This bill also eliminates joint and several liability, which allows for a single plaintiff to bring a single case before multiple defendants.

Our courts are a vital component of our democratic system; legal remedies often stand as the last refuge of justice for the injured and aggrieved, regardless of wealth or influence. Powerful interests have many tools at their disposal to stack the deck against vulnerable populations: women, minorities, low income Americans, veterans, individuals with disabilities and so forth. Fortunately, the goal of the American court system at its purest is to provide equal consideration in the eyes of the law. As a nation, we clearly have work to do to meet that goal, but our responsibility is to work towards that ideal, not undermine it. H.R. 1215 is a direct affront to this mission.

For these reasons, I respectfully ask you to vote no on this dangerous bill.

Sincerely,



BONNIE WATSON COLEMAN
Member of Congress