

HHS Tells Committee that Tort Reform 'Not a Priority' of Administration

WASHINGTON. D.C. – With President Obama’s announcement that he will hold a televised, bipartisan health care meeting on February 25th, Rep. Darrell Issa (R-CA), the Ranking Member of the House Committee on Oversight and Government Reform, said today that the first question President Obama should address is if the Department of Health and Human Services (HHS) is speaking for the Administration when they say that medical malpractice reform is “not a priority of this Administration” contradicting the [President’s own pledge](#) to advance an initiative that recognizes the substantial and unnecessary costs of defensive medicine.

“The first question I have for President Obama is if he still stands by his call for tort reform or was he just lying to Congress when he directed Sec. Sebelius to pursue an initiative addressing the costs of defensive medicine,” Issa asked. “When HHS is telling me that malpractice reform is not a “priority of this Administration,” I have to question the sincerity of the President’s commitment to working with Congressional Republicans on a bipartisan basis. A clarification from the Administration would tell us if he is sincere in his effort for bipartisan discussions or if this is just another exercise in futility aimed to make the American people think the White House is serious about bipartisanship.”

Issa’s comments come a week after he [released a report](#) examining the failure to address the costs of defensive medicine in health care legislation and highlights how defensive medicine contributes to the “high cost of health care” and drives up insurance premiums.

[From Issa's Report:](#)

"Committee staff inquired of HHS whether they had an updated figure, but staff was told by personnel in the Office of the Assistant Secretary Planning and Evaluation that the report in question involved medical malpractice litigation which "is not a priority with this Administration [the Obama Administration]" so there is no further information on the topic..."

[President Obama to Joint Session of Congress on September 9, 2009:](#)

"Now, finally, many in this chamber -- particularly on the Republican side of the aisle -- have long insisted that reforming our medical malpractice laws can help bring down the cost of health care...Now, I don't believe malpractice reform is a silver bullet, but I've talked to enough doctors to know that defensive medicine may be contributing to unnecessary costs. So I'm proposing that we move forward on a range of ideas about how to put patient safety first and let doctors focus on practicing medicine. I know that the Bush administration considered authorizing demonstration projects in individual states to test these ideas. I think it's a good idea, and I'm directing my Secretary of Health and Human Services to move forward on this initiative today."

“This [report](#) highlights the significant impact on health care costs that defensive medicine creates and legitimate reform cannot be achieved if policymakers ignore the costs resulting from excessive litigation. Of course, the only that can happen is if Congress is willing to stand up to the trial lawyers lobby and embrace tough tort reform proposals to try and help revive and build bipartisan support for health care reform,” said Issa. “It's easy to say the right thing, but by embracing the findings of this report and supporting legitimate tort reform that doesn't penalize states like CA and TX who already have some sort of liability reform will be a good barometer of how sincere the call for bipartisanship truly is.”

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