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Senator Floyd Prozanski, Chairman
Senate Judiciary Committee
900 Court Street NE
Salem, OR 97301

Chairman Prozanski,

The issue of medical liability is one that AARP Oregon has followed closely in recent years. Preventable medical injuries caused by medical errors are widespread and costly. They result from flaws in the complex interactions among health care professionals, sophisticated technologies, products, and organizational systems. They also can arise from individual negligence, impairment, and incompetence.

To be effective, approaches to address problems in the current medical liability system must both significantly reduce the number of preventable medical injuries and offer appropriate compensation for people who are injured.

With this in mind, AARP Oregon was encouraged when Governor Kitzhaber created the Patient Safety and Defensive Medicine Workgroup and supportive of its guiding principles:

- Improve the practice environment to allow physicians to learn from medical errors and improve patient safety;
- More effectively compensate individuals who are injured as a result of medical errors; and
- Reduce the collateral costs associated with the medical liability system, including costs associated with insurance administration, litigation, and defensive medicine.

Senate Bill 483 is based on the work of the workgroup.

Unfortunately, SB 483 as introduced raises several questions and concerns for AARP Oregon. We have concerns regarding the notice process and questions about adequate safeguards for individuals entering into the disclosure/offer and mediation processes. We also are concerned about the membership and responsibilities of the task force created in section 17 of the bill. AARP Oregon would advocate strongly for a consumer representative on the task force as well as a more definitive directive regarding the task force's responsibility to rigorously evaluate the resolution system established by SB 483.

With the limited time available to us since the introduction of SB 483, we have not been able to resolve our concerns. Some may be answered with the -1 amendment. However, at this time, AARP Oregon cannot support SB 483.

Sincerely,

Rick Bennett
Director, Government Relations
AARP Oregon