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SENATE MEMORIAL 20

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Leonard Lee Rawson

A MEMORIAL

**REQUESTING THAT THE CONGRESSIONAL DELEGATION OF THE STATE OF
NEW MEXICO SUPPORT THE PRESIDENT OF THE UNITED STATES' MEDICAL
MALPRACTICE REFORM**

**WHEREAS, a fair and efficient legal system that is free
from frivolous and abusive litigation is necessary for a
vibrant economy and for access to affordable health care; and**

**WHEREAS, rapidly increasing medical malpractice awards are
driving up malpractice insurance premiums, reducing access to
health care and fueling the rapid growth in health care costs;
and**

**WHEREAS, frivolous and abusive medical lawsuits lead to
hospital closings, doctors refusing to see new patients and, in
some cases, doctors leaving the state; and**

WHEREAS, a reasonable cap on damage awards protects

underscored material = new
[bracketed material] = del ete

1 patients from rising costs of and diminishing access to health
2 care; and

3 WHEREAS, victims who suffer losses, not victims'
4 attorneys, should receive the largest share of damage awards;
5 and

6 WHEREAS, medical malpractice reforms that enact caps on
7 damage awards, allow for the inclusion of collateral source
8 payments in jury considerations and impose time limits on the
9 filing of lawsuits will enhance access to health care, lower
10 medical insurance premiums and lower the cost of health care;

11 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
12 OF NEW MEXICO that the New Mexico congressional delegation be
13 requested to support the president of the United States'
14 medical malpractice liability reform; and

15 BE IT FURTHER RESOLVED that copies of this memorial be
16 transmitted to all members of the New Mexico congressional
17 delegation.