

PROPOSED VENUE RULE CHANGE FOR MEDICAL MALPRACTICE CASES IN PENNSYLVANIA

March 2019

React Now — Don't allow this threat to become a crisis!

What is happening?

The Civil Procedural Rules Committee has published a proposed rule change that would revise the venue rule (the county in which a medical malpractice case may be filed). The Pennsylvania Supreme Court has agreed to accept the recommendations of Senate Resolution (SR) 20 calling for a study that will review several aspects and impact of previous medical liability reforms, which will enable a more measured approach to any future changes to rules governing venue in medical liability actions. The report will be issued by the Legislative Budget and Finance Committee (LBFC). You can learn more about SR 20 at www.pamedsoc.org/SR20.

What does venue mean?

Venue is either a county (for cases in state court) or a district or division (for cases in federal court). Venue deals with the locality of a lawsuit — that is, in which locale a lawsuit may be filed or commenced.

How does changing the venue rule affect Pennsylvania physicians?

By allowing venue in counties with little to no relation to the underlying cause of action, claimants could shop for verdict friendly venues in which to file their suits.

As was the case before steps were taken in 2002 to address the medical malpractice crisis, the state will return to:

- Higher medical professional liability insurance premiums
- PA less attractive state for physicians to practice
- Patient access to care issues

The Fight Isn't Over — It's Still Vital for Physicians to Voice Opposition to Venue Rule Changes

While there is no legislative fix to this issue, all physicians are encouraged to meet with their state legislators to discuss how the proposed venue rule would affect medicine and specifically their practice. Personal stories will help to keep this issue front of mind for legislators while the LBFC drafts their report to the Pennsylvania Supreme Court.

To find your local legislator, visit cqrcengage.com/pamed/Lookup

To learn more about the history, rationale, and effect of the proposed rule change, go to www.pamedsoc.org/VenueRule.

If you have any questions, please contact the Knowledge Center at 855-PAMED4U (855-726-3348) or KnowledgeCenter@pamedsoc.org.



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