



Illinois Hospital Association

November 13, 2008

**STATEMENT FROM KEN ROBBINS, PRESIDENT, ILLINOIS HOSPITAL ASSOCIATION  
RE: SUPREME COURT REVIEW OF ILLINOIS MEDICAL LIABILITY REFORM LAW**

*[Earlier today, the Illinois Supreme Court heard oral arguments in the case of Lebron v. Gottlieb Memorial Hospital, a case that will determine the constitutionality of the state's three-year-old medical liability reform law.]*

Just over three years ago, the Illinois Hospital Association and hospitals across the state applauded the enactment of the state's medical liability reform law as a rational, appropriate and measured response to the state's health care crisis. Skyrocketing medical liability insurance costs and unpredictable verdicts were driving obstetricians, neurosurgeons and other physicians out of Illinois, undermining the financial stability of hospitals, and threatening everyone's access to quality care.

The hospital community stands firmly behind the law and believes it should be upheld as constitutional. This comprehensive law – including insurance regulation, physician discipline and caps on noneconomic damages – is helping restore predictability to Illinois' broken liability system that has been driving up costs for hospitals and physicians to unsustainable levels and that has jeopardized the state's health care system. It is a fair and reasonable solution for everyone, most importantly for patients whose access to health care must be ensured, as well as for medical liability plaintiffs to receive just compensation.

The medical liability crisis and the facts of the crisis were one of the most thoroughly debated and investigated issues ever by the General Assembly. As a result, there was bipartisan agreement that passing the law was in the best interests of patients and the health care delivery system. We hope that the Supreme Court agrees and finds the law constitutionally valid.

**NOTE:** *The Illinois Hospital Association, American Hospital Association, Illinois Catholic Health Association and Illinois Rural Health Association submitted a joint amicus brief that was accepted by the Supreme Court. The brief can be viewed at: <http://www.ihatoday.org/issues/legal/lebron.pdf>.*

*Video (Windows Media format) and audio (MP3 format) of the oral arguments in Lebron v. Gottlieb Memorial Hospital are now available on the Illinois Supreme Court's web site: [http://www.state.il.us/Court/Media/On\\_Demand.asp](http://www.state.il.us/Court/Media/On_Demand.asp).*