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[Pelosi Health Care Bill Blows a Kiss to Trial Lawyers](#)

by [Capitol Confidential](#)

The health care bill recently unveiled by Speaker Nancy Pelosi is over 1,900 pages for a reason. It is much easier to dispense goodies to favored interest groups if they are surrounded by a lot of legislative legalese. For example, check out this juicy morsel to the trial lawyers (page 1431-1433 of the bill):

Section 2531, entitled "Medical Liability Alternatives," establishes an incentive program for states to adopt and implement alternatives to medical liability litigation. [But]..... **a state is not eligible for the incentive payments if that state puts a law on the books that limits attorneys' fees or imposes caps on damages.**

So, you can't try to seek alternatives to lawsuits if you've actually done something to implement alternatives to lawsuits. Brilliant! The trial lawyers must be very happy today!

While there is debate over the details, it is clear that medical malpractice lawsuits have some impact on driving health care costs higher. There are likely a number of procedures that are done simply as a defense against future possible litigation. [Recall this from the Washington Post:](#)

"Lawmakers could save as much as \$54 billion over the next decade by imposing an array of new limits on medical malpractice lawsuits, congressional budget analysts said today — a substantial sum that could help cover the cost of President Obama's overhaul of the nation's health system. New research shows that legal reforms would not only lower malpractice insurance premiums for medical providers, but would also spur providers to save money by ordering fewer tests and procedures aimed primarily at defending their decisions in court, Douglas Elmendorf, director of the nonpartisan Congressional Budget Office, wrote in a letter to Sen. Orrin Hatch (R-Utah)."

Stay tuned. There are certainly many more terrible, horrible, no-good, very bad provisions in this massive bill.



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