

March 22, 2012

Dear Member of Congress:

The undersigned organizations strongly support the Dent-Sessions amendment to the Protecting Access to Health Care Act (H.R.5) and urge you to vote for the amendment when it is considered on the House floor.

The Dent/Sessions amendment will address the growing crisis in access to emergency care by extending liability coverage to on-call and emergency physicians through the Federal Tort Claims Act. Specifically, the Amendment would ensure medical services furnished by a hospital, emergency department, physician or on-call provider under contract with a hospital or emergency department pursuant to the Emergency Medical Treatment and Labor Act (EMTALA) receive the same liability coverage currently extended to employees of Community Health Centers and health professionals who provide Medicaid services at free clinics. The Congressional Budget Office has scored this amendment at \$0 - so there is no additional burden to the deficit.

Emergency physicians and on-call specialists perform lifesaving feats every day, often making quick, life-and-death decisions with minimal information about the patient. This lifesaving care is inherently risky and exposes these specialists to an increased likelihood of litigation because emergency and trauma patients are often sicker, have more serious complications and usually have no pre-existing relationship with the emergency physician or the on-call specialist. Unfortunately, the high-risk of being sued and the increased professional liability costs-- which are far higher than for those who do not provide such care—have reduced the pool of on-call specialists to dangerously low levels.

Congress must act now to protect access to emergency care for all Americans, insured and uninsured alike. Help ensure your local emergency department and trauma center physicians will be there when your constituents need them. We urge a “Yes” vote on the Dent-Sessions amendment.

Sincerely,

American Academy of Ophthalmology  
American Association of Neurological Surgeons  
American Association of Orthopaedic Surgeons  
American College of Emergency Physicians  
American College of Radiology  
American College of Surgeons  
American Congress of Obstetricians and Gynecologists  
American Gastroenterological Association  
American Hospital Association  
American Osteopathic Association  
American Society of Anesthesiologists  
Congress of Neurological Surgeons  
Orthopaedic Trauma Association