

For Immediate Release

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Governor Musgrove Releases Details of Medical Malpractice Plan

(Jackson, MS) – Governor Ronnie Musgrove released today the details of his recommendation to address the crisis in the availability and affordability of medical malpractice insurance.

“As I said in May, we must solve the crisis that our doctors are experiencing across the state. Today, I have released a plan which will not only provide immediate relief for our healthcare providers, but it will also provide a long term solution.” Musgrove said.

Governor Musgrove has called a special session for September 5. Attached is a summary of the Governor’s Mississippi Care Access and Reliability Enhancement Act (MCARE).

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GOVERNOR RONNIE MUSGROVE

Mississippi Care Access and Reliability Enhancement Act MCARE

■ *Nonprofit Authority for Malpractice Liability Insurance*

- Solution to the immediate crisis.
- Provide malpractice liability insurance for qualified healthcare providers, including Hospitals and Nursing Homes.
- \$250,000 limit on non-economic damages. Except in cases where there is clear and convincing evidence of exceptional circumstances or gross malpractice (Nevada Plan).
- Participants must agree to treat patients covered by Medicaid, Medicare, Children's Health Insurance Program and the State Employee and Teachers Health Insurance Plan.
- Provide for a medical review board.
- Policies may be sold through existing insurance agents.
- Governed by a nine member board.
- Initial funding through a \$10 million revenue bond.

■ *\$500,000 Limit on Non-Economic Damages*

Non-economic damages for healthcare providers, including Hospitals and Nursing Homes, will be limited to \$500,000 (Nevada Plan), adjusted for cost of living.

■ *Venue*

Cases are to be tried in the county in which the medical malpractice occurred.

■ *Joinder*

Limit the joining of out of state plaintiffs in pharmaceutical products liability cases.

■ *Products Liability in Pharmaceutical cases*

Provide protection for doctors and pharmacists who prescribe and dispense federally approved drugs.

■ *Joint and Several Liability*

Modify joint and several liability in medical malpractice cases.

■ *Physician Disclosure*

Make public the settlements in medical malpractice cases and the disciplinary history of healthcare providers.

■ *Good Samaritan*

Protect healthcare providers who give physicals to high school students, without charge, for the purpose of participating in sports or other extra-curricular activities.