

Lansing takes aim at medical malpractice

By TIM RICHARD
STAFF WRITER

A bill to curb medical malpractice lawsuits and costs is good but "not a panacea," said one of its major supporters. "It's an important step in bringing down costs. But we have a long way to go in other areas," said state Rep. John Jamian, R-Bloomfield Township, after the House passed the measure 72-29. A coalition of many Republicans and some Democrats passed Senate Bill 270 last week after attorneys in both parties failed to weaken it.

It's aimed at cutting medical malpractice costs 15 percent by capping "pain and suffering" jury awards, raising standards for "expert" witnesses, and requiring 182-day notices before suing. The House Thursday fell seven votes short of the two-thirds majority (72) to give the bill immediate effect. The vote was 65-33. That means it will take effect in April of 1994 rather than as soon as Gov. John Engler signs it.

The Senate must concur in House amendments. Jamian, chair of the House Health Policy Committee, hoped the Senate will concur so that the bill doesn't have to go to a conference committee.

Jamian said the bill is legally tied to a package of bills his committee produced to speed up and tighten regulation of health practitioners. His House-passed bills are now before the Senate.

How they voted

Here's how local members voted on immediate effect:

YES — Republicans Penny Crissman of Rochester, Barbara Dobb of Union Lake, Jan Dolan of Farmington Hills, Jamian, Shirley Johnson of Royal Oak and Greg Kazza of Rochester Hills. **NO** — Democrats Maximo Berman of Southfield.

The bill emerged almost unscathed after two full days of debate on amendments. The only successful amendment was a 60-37 Republican effort to raise the cap on pain and suffering awards

from \$250,000 to \$280,000.

A separate cap of \$500,000 remains in place for more serious cases.

The bill lowers the age at which children may sue for birth-related damages to eight years. Democrats lost several knock-down, drag-out efforts to raise that age to 13. Sponsor Tracy Yoklich, D-St. Clair Shores, argued that some medical complications don't show up until a child is older.

Yoklich's amendment lost, 48 yes to 52 no. Here's how area members voted:

YES — Democrats Berman, Gubow, Keith and Young. Republicans Vorva and Whyman.

NO — Republicans Bankes, Crissman, Dobb, Dolan, Jamian, Johnson and Kazza.

Applause, boos

The bill was backed by hospital and medical practitioners,

whose survey showed 74 percent of graduating orthopedic surgeons and 53 percent of graduating obstetricians were leaving Michigan to practice. They blamed Michigan's malpractice insurance costs, third highest in the nation.

Their arguments convinced some small-town and rural Democrats that malpractice suits had to be curbed to prevent a "brain drain" of specialists.

Democrats denounced the bill.

Nick Ciaramitaro of Roseville: "In today's med mal debate, you are faced with an effort to again blame the victims. . . . It is a package which will only serve to raise insurance company profits."

Nelson Saunders of Detroit: "the most vicious attack on consumers by this legislative body since the passage of the auto no-fault reform bill." The bill "will further insulate health care pro-

professionals and institutions from responsibility for their negligent acts."

Kirk Profit of Ypsilanti: "It is obvious from the debate that some members of the medical community are confused as to whether they want to earn a living as health care providers or insurers. . . . It is unfortunate that the physicians in this state are being so manipulated by the insurance interests."

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Junior Achievement, the group that gives students a chance to discover the business world, has honored four adults as its first Business Hall of Fame winners.

A committee of 10 business education and service organizations selected this year's honorees from more than 60 nominees. They are: the late Henry Ford, founder of the Ford Motor Co.; the late Mary Chase Stratton, founder of Peawee Title Co.; A. Alfred Taubman, founder and chairman of the Taubman Co.; and Michael Ilitch, chairman of the board of Little Caesars Enterprises.

In 1903 Ford helped organize the Ford Motor Co., capitalized at \$150,000, of which only \$28,000 in cash was paid in. The first car built by the company was sold July 15, 1903. Ford owned 25 1/2 percent of the stock in the new organization and became president and controlling owner in 1916.

A. Alfred Taubman plays an active role in a number of national and international businesses. He is founder and chairman of the company that bears his name, which is one of the nation's leading real estate developers and operator of regional shopping centers. He is majority shareholder and chairman of Sotheby's Holdings, owns Woodward & Lothrop and John Wanamaker department stores as well as A&W Restaurants.

Under the direction of Stratton who began Peawee in 1903, the company produced nationally renowned vessels, tiles, architectural ornamentation and ceramic jewelry. Its work can be seen throughout the U.S.

Ilitch has built one of the most successful franchise businesses in the restaurant industry. His pizza chain expected to increase sales in 1992 by 25 percent to \$2.16 billion. Ilitch also owns the Detroit Red Wings and the Detroit Tigers.

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