

# American Academy of Pediatrics

DEDICATED TO THE HEALTH OF ALL CHILDREN™



## Pennsylvania Chapter

February 21, 2019

### ***Pennsylvania Chapter***

Rose Tree Corporate Center II  
1400 N. Providence Road  
Suite 3007  
Media, PA 19063-2043  
Phone: 484/446-3000  
800/337-2227  
Fax: 484/446-3255  
Email: [paaap@paaap.org](mailto:paaap@paaap.org)  
[www.paaap.org](http://www.paaap.org)

### ***Executive Board***

#### ***President***

**Deborah Moss, M.D., M.P.H., F.A.A.P.**

Email: [Deborah.moss@chp.edu](mailto:Deborah.moss@chp.edu)

#### ***Vice President***

**Trude Haecker, M.D., F.A.A.P.**

Email: [Haecker@email.chop.edu](mailto:Haecker@email.chop.edu)

#### ***Secretary/Treasurer***

**Mary Ann Rigas, M.D., F.A.A.P.**

Email: [maryann.rigas@colememorial.org](mailto:maryann.rigas@colememorial.org)

### ***Members at Large***

**Amanda W. Brown, M.D., F.A.A.P.**

Email: [Amanda.Brown@chp.edu](mailto:Amanda.Brown@chp.edu)

**Kimberly C. Brown, M.D., F.A.A.P.**

Email: [rkbrown1677@gmail.com](mailto:rkbrown1677@gmail.com)

**Leo Heitinger, M.D., F.A.A.P.**

Email: [Leo.heitinger@sluhn.org](mailto:Leo.heitinger@sluhn.org)

**Kenneth Keppel, M.D., F.A.A.P.**

E-mail: [Kenneth.keppel@chp.edu](mailto:Kenneth.keppel@chp.edu)

**C. Eve Kimball, M.D., F.A.A.P.**

E-mail: [ekimball@aacp.com](mailto:ekimball@aacp.com)

**Frank Maffei, M.D., F.A.A.P.**

Email: [Famaffei@geisinger.edu](mailto:Famaffei@geisinger.edu)

**Sanjiv Mehta, M.D., F.A.A.P.**

Email: [mehtasd@email.chop.edu](mailto:mehtasd@email.chop.edu)

**Elana Neshkes, M.D., F.A.A.P.**

Email: [neshkesel@upmc.edu](mailto:neshkesel@upmc.edu)

**David M. Pollack, M.D., F.A.A.P.**

E-mail: [dpollackswarth@msn.com](mailto:dpollackswarth@msn.com)

**Justin Schreiber, D.O., M.P.H., F.A.A.P.**

Email: [schreibwerj@upmc.edu](mailto:schreibwerj@upmc.edu)

**Daniel Randolph Taylor, D.O., F.A.A.P.**

Email: [Daniel.Taylor@Drexelmed.edu](mailto:Daniel.Taylor@Drexelmed.edu)

**S. Tanner Walsh, M.D., F.A.A.P.**

Email: [Tanner.Walsh@crozer.org](mailto:Tanner.Walsh@crozer.org)

### ***Immediate Past President***

**Denise A. Salerno, M.D., F.A.A.P.**

Email: [salernod@tuhs.temple.edu](mailto:salernod@tuhs.temple.edu)

### ***Executive Director***

**Annette G. Myarick, B.S.**

Email: [amyarick@paaap.org](mailto:amyarick@paaap.org)

Karla M. Shultz

Counsel Civil Procedural Rules Committee, Supreme Court of Pennsylvania

Via email: [civilrules@pacourts.us](mailto:civilrules@pacourts.us)

Dear Ms. Schultz:

As a President of the PA Chapter of the American Academy of Pediatrics, representing more than 2,300 pediatricians from across the Commonwealth, I am writing to express our strong opposition to the changes in venue rules proposed by the Civil Procedural Rules Committee (CPRC) for the following reasons:

- We are aware of the rules that originally fueled the medical malpractice crisis in 2001-2002 in which plaintiff lawyers could select locations of filing civil actions where judges, juries and awards are more favorable to the plaintiff.
- We are deeply concerned that the venue rules currently being proposed would un-do previous gains in stabilizing physicians' insurance premium costs and lead again to a flight of physicians from Pennsylvania.
- Of greatest concern to us and the thousands and thousands of children and teens we care for, is the negative impact on patient's fair access to health care that the proposed venue rule change could cause. Access to quality health care would again be jeopardized, and Pennsylvania physicians will be forced to decide if they want to stay and face a dangerous litigation climate or leave for fairer jurisdictions. A court rule that reduces access to greatly needed health care, especially in regions where there are already shortages of providers, makes no sense in seeking either justice or the greater good.

On behalf of our membership, intent on serving our patients and families, we strongly urge the CPRC and the Court not to amend existing law by simple committee fiat and, at a minimum, to conduct research – as was the case in 2002 – to demonstrate any real existing problem, and to address any proven issues with data driven decision-making.

Sincerely,

A handwritten signature in black ink that reads "DM (D. Moss)".

Deborah Moss, MD, MPH, FAAP  
President

CC: Annette Myarick, Executive Director