

February 4, 2019

Via electronic mail: civilrules@pacourts.us

Karla M. Shultz, Counsel
Civil Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635

Re: Proposed Amendment of Pa. R.C.P. to Delete Pa. R. C.P. No. 1006(a.1)

Dear Ms. Shultz:

As a primary care physician practicing in the Commonwealth of Pennsylvania, I am writing to object to the proposed deletion of Pennsylvania Rule of Civil Procedure Number 1006(a.1). The proposed deletion would permit claims for professional negligence to be brought against health care professionals in venues other than the county in which the cause of action arose.

In 2002, the Court adopted Pa. R. C.P. No. 1006(a.1) to reduce the incidence of plaintiffs' attorneys "shopping" for more plaintiff-friendly forums when bringing medical malpractice actions. As a result, the number of medical negligence claims brought in the City of Philadelphia dropped by more than one-half, leading in turn to a reduction in both medical malpractice insurance premiums and the number of health care providers leaving the Commonwealth.

According to a 2015 report of the Pennsylvania Joint State Government Commission, Pennsylvania faces a "serious and growing" physician shortage. Amendment of the Pennsylvania Rules of Civil Procedure to once again permit plaintiffs to bring suit in venues bearing no relation to the cause of action will exacerbate and accelerate that shortage by encouraging physicians and other providers to leave the Commonwealth for states with more favorable professional negligence rules.

This proposal will weaken Pennsylvania's health care system needlessly and should be rejected.

Sincerely,



Carol Struminger, D.O.
Medical Director
Patient First [Lancaster]