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## SMITHVILLE HOSPITAL AUTHORITY NEWS

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FOR IMMEDIATE RELEASE

### **Texans Overwhelmingly Support Noneconomic Damage Caps & Limits on Lawyer Fees**

Some 69 percent of Texans support a constitutional amendment to cap noneconomic damage jury awards according to a recent telephone survey of 1,001 Texas registered voters conducted from March 5-8. The survey's margin of error is + 3.2 percent at a 95 percent level of confidence.

Strongest support for the noneconomic damage cap proposal was found in the Panhandle (81 percent) and areas with 70 percent or higher support included the El Paso/Border region, the Dallas/Fort Worth area, Houston, East Texas, and West Texas.

Also, 60 percent of Texas Democrats favor a noneconomic damage cap compared to 78 percent support among Republicans and 59 percent support among the state's independent voters.

Complementing Texas Governor Rick Perry's recent determination that health care lawsuit abuse is an "emergency" item for the Texas Legislature, the poll found 91 percent of Texans describing "the issue of medical malpractice insurance in Texas today as a "crisis" or "problem."

Also according to the survey, by slightly more than a 2-1 margin, Texans feel the current legislative proposal for a \$250,000 cap on noneconomic damages is either "about right" (40 percent) or "too high" (20 percent) while only 26 percent of Texans say "its too low."

Additionally, 75 percent of Texans favor "limiting the amount of money lawyers are paid for trying successful medical malpractice and other personal injury lawsuits."

And, 85 percent of voters statewide say it is unfair "for lawyers to charge contingency fees in medical malpractice lawsuits if this form of billing allows the lawyers to receive more of the settlement money than the injured clients they represent."

The survey was commissioned by the Texas Medical Association, Texas Hospital Association, and Texas Alliance for Patient Access. The poll was conducted by The Eppstein Group, a 20 year old Fort Worth/Austin based polling and public affairs firm.

**Sidebar:** This article was given to SRH on behalf of the Texas Organization of Rural & Community Hospitals (TORCH) and David Pearson. You may reach TORCH by their website, <http://www.torchnet.org>.

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