



Maryland Maternity Access Coalition releases statement as the 2016 Legislative Session convenes

Maternal health coalition welcomes the 2016 legislative session hopeful that lawmakers will protect women and children's access to healthcare this year

For Immediate Release

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BALTIMORE, MD (January 13, 2016) – Today, the Maryland General Assembly convened for the 2016 legislative session. Amid growing state-wide support for a No-Fault Birth Injury Fund, the Maryland Maternity Access Coalition welcomed the 2016 legislative session with optimism that Maryland lawmakers will pass meaningful reform for the state's healthcare system this year.

“Our lawmakers know that we cannot go another year standing idly by as women and children's healthcare is threatened,” said Maryland Maternity Access Coalition President Beth Laverick. “For years, a No-Fault Birth Injury Fund has garnered support from medical experts and Maryland families alike. Now's the time for the legislature to match the expectations of our state's women, children, and families.”

Proponents of the No Fault Birth Injury Fund - including the Maryland Maternity Access Coalition, a broad coalition of concerned citizens, healthcare providers, and organizations working to protect women's health – say that a fund will help stabilize Maryland's unsustainable litigation environment, which forces families into expensive legal battles in order to receive the care they deserve for a child injured at birth. The current system pits families against hospitals and doctors in an endless legal brawl, where lawyers take a large share of the award and some families end up with nothing.

A No-Fault Birth Injury Fund would ensure that all babies that meet the definition of a birth-related neurological injury will get the lifetime care they need, without litigation. Paid for by hospitals, the fund also helps hospitals to continue to provide maternity care services.

Proposed during previous legislative sessions, the No-Fault Birth Injury Fund has continued to find support among healthcare and academic experts across the country and Maryland lawmakers from both sides of the political aisle. Last year, the Maryland legislature adopted legislation authorizing a workgroup of health care and legal experts to study access to women's health services and provide recommendations for legislation this session. Released this past December, [the report recommended that the state create a No-Fault Birth Injury Fund](#) in order to protect access to care for Maryland mothers and babies. Likewise, in late 2014, a Department of Health

& Mental Hygiene Task Force advised the Maryland General Assembly to pursue a fund to reduce medical liability risk in the field of obstetrics, in order to safeguard women's access to maternity care ([State panel recommends creation of a birth injury fund](#), Baltimore Sun, 12/24/14).

The Department of Legislative Services' annual Issue Papers named a birth injury fund among major topics coming before the Maryland General Assembly in the 2016 legislative session. Released just last November, the independent, nonpartisan analysis stated: "Medical liability risks and associated costs have been identified as a major issue affecting access to obstetrical care in Maryland. One proposed approach to address the issue is the establishment of a no-fault birth injury fund."

The birth injury fund proposed in Maryland is not the first of its kind. Virginia and Florida established funds in the 1980s, which have since gone on to receive praise from medical experts and government officials in both states for substantially cutting back healthcare costs and family wait times. Most recently in 2011, New York established a birth injury fund of its own. Maryland's birth injury fund would pull best practices from these already-established funds.

The birth injury fund enjoys bipartisan support from voters across the state. [A statewide poll of voters](#) – conducted by OpinionWorks of Annapolis – found that Maryland voters support creating a birth injury fund by a 3-to-1 margin, with 62 percent in favor and only 21 percent opposed. In the poll, voters strongly support the concept of families giving up their right to sue in exchange for being guaranteed an award from the fund if a child suffers a permanent birth injury.

The Maryland Maternity Access Coalition is a coalition of concerned citizens, organizations, and healthcare providers formed to protect and preserve access to high-quality maternity care for the women of Maryland. For more information on the Maryland Maternity Access Coalition, visit the coalition's Facebook page and website at www.facebook.com/MarylandMaternityAccess and www.Mdmaternityaccess.org

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Resources:

National Experts on Birth Injury Funds

- Kenney Shipley, Executive Director, Florida Birth-Related Neurological Injury Compensation Association, [850-488-8191](tel:850-488-8191), kshipley@nica.com
- George Deebo, Executive Director, Virginia Birth-Related Neurological Injury Compensation Program, [804-330-2471](tel:804-330-2471), gdeebo@vabirthinjury.com
- Michelle Mellow, Professor of Law, Stanford Law School, and Professor of Health Research and Policy, Stanford University School of Medicine, [650-715-3894](tel:650-715-3894), mmello@law.stanford.edu

Documents & Reports:

- [Department of Legislative Services 2016 Legislative Issue Papers](#)

- [2015 Report on Access to Obstetric Services in Maryland](#)
- [2014 Report on Access to Obstetric Services in Maryland](#)