



Poll Shows Widespread, Bipartisan Voter Support of Maryland Birth Injury Fund

Legislation would protect families and ensure continued access to maternity services for Maryland mothers

For Immediate Release

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ANNAPOLIS, MD (March 11, 2015) – The Maryland Maternity Access Coalition hosted a press conference today in Annapolis to release new polling data that shows that Marylanders overwhelmingly support the creation of a fund – paid for by hospitals and doctors – to compensate families and care for children who suffer permanent birth injuries.

The statewide poll of 500 randomly selected Maryland voters – conducted by OpinionWorks of Annapolis – found that 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 they have a child who suffers a permanent birth injury, with 65 percent believing such a trade-off is fair and only 26 percent saying it is unfair.

“The survey found that the public overwhelmingly prefers creation of a birth injury fund over pursuing compensation through the courts,” said **Steve Raabe, president of OpinionWorks**, who is also the statewide political pollster for *The Baltimore Sun*. “As a sign of just how strong support is for this concept, a large majority of voters would give up their right to sue as a fair requirement for a fund that provides lifetime coverage of care.”

The release of the poll comes as the Maryland General Assembly is set to begin hearings this week on legislation to create a statewide “no fault” Maryland Birth Injury Fund. The fund – paid for by hospitals, OB/GYN doctors, and medical liability insurance companies – will help injured children and their families while protecting access to quality maternity health care. If the legislation were enacted, more babies who suffer birth injuries will get the lifetime care they need because acceptance into the program is based on the injury, not the outcome of a lawsuit.

Senator Catherine Pugh and Delegate Dan Morhaim are the lead sponsors on the legislation ([Senate Bill 585](#) and [House Bill 553](#)). The bills are gaining momentum and have more than 20 House. The first hearing for the Senate bill was held on March 5th and the first hearing for the House of Delegates will take place today, March 11th.

Delegate Morhaim emphasized the strong bipartisan support for the bill, noting that 69 percent of Democrats and 52 percent of Republicans support the creation of a birth injury fund. Additionally, 74 percent of Marylanders of all stripes see this issue as an opportunity for “a

common sense reform that both the Democratic Legislature and Republican Governor could get together and support, across party lines.”

“Marylanders clearly agree that it is our responsibility in the legislature to ensure that there is broad access to critical health services across our state, particularly maternity care,” **Delegate Morhaim** said. “We have seen birth injury funds be successful in other states, and we have crafted a solution that is right for Maryland mothers, children, and health providers.”

The poll found that 74 percent of voters believe that trial lawyers contribute to the high cost of health care and that 62 percent of Marylanders believe that the birth injury fund is “important should be passed into law this year, rather than being delayed until a future year.”

“Parents can't wait for medical science to understand what caused a neurological birth injury, they have children who need care. And that care is expensive. The birth injury fund recognizes our desire to have these children cared for,” said **Dr. Tyler Cymet, President of MedChi**. “The current system often holds people responsible for the injury merely because they are present at the delivery of the child, not because they did anything wrong. The Birth Injury Fund makes the system smoother and more logical.”

“This bill is critical because a very small number of cases has had a huge impact on the ability of hospitals and doctors to provide care to mothers and babies,” said **Carmela Coyle, President & CEO of the Maryland Hospital Association**. “The goal is simple: in the rare case of injury during childbirth, let's be sure it's the mother, baby and family who are the focus of remuneration, and that that remuneration helps them quickly get the care they need for as long as they need it.”

The Maryland Maternity Access Coalition – a coalition comprised of concerned citizens, organizations, and health providers – believes that Maryland's worsening litigation environment is creating a growing risk that hospitals and doctors could be forced to reduce access to care. Birth injury funds similar to the proposed bill are successfully in operation in Florida and Virginia since the late 1980's.

The telephone poll interviewed 500 randomly selected registered Maryland voters, from Feb. 3 through Feb. 11, 2015. The calls were made by live interviewers to both landline and cellular numbers. The margin of error is no more than ± 4.5 percent.

For more information on the Maryland Maternity Access Coalition, visit the coalition's Facebook page at www.facebook.com/mdmaternityaccess.

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