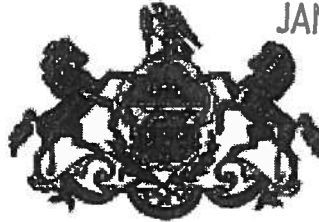


**21ST DISTRICT  
PATRICIA H. VANCE**

JAN 06 2011

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**TO:** ALL SENATORS  
**FROM:** Senator Patricia H. Vance  
**DATE:** January 4, 2011  
**SUBJECT:** Memo #1 – Benevolent Gesture legislation

PHL

In the near future, I plan to reintroduce SB 208 from last session which would make any benevolent gesture made prior to the commencement of a medical liability action by a health care provider, assisted living residence or personal care home inadmissible as evidence of liability or an admission against interest.

A benevolent gesture is any action that conveys a sense of apology, explanation, or compassion emanating from humane impulses. In an effort to reduce the number of lawsuits, more than half the states have already enacted laws excluding such actions as proof of liability. Studies have shown that a large percentage of patients and families may not have filed medical malpractice suits if given an explanation and an apology regarding the event.

If you would like to co-sponsor this legislation, please email Amy Bolze at [abolze@pasen.gov](mailto:abolze@pasen.gov) or call my office at 787-8524.