

**GLEN R. GRELL**  
**87TH LEGISLATIVE DISTRICT**

House of Representatives  
PO Box 202087  
Harrisburg, PA 17120-2087  
Phone: 717-783-2063  
Fax: 717-705-7012

5521 Carlisle Pike, Suite 2-D  
Mechanicsburg, PA 17050  
Phone: 717-795-6091  
Fax: 717-795-6094

ggrell@pahousegop.com  
www.repgrell.com



**House of Representatives**  
Commonwealth of Pennsylvania  
Harrisburg

**MEMORANDUM**

**Committees**

Appropriations  
Judiciary  
Subcommittee on Courts, Chairman  
Insurance  
State Government

**Appointments**

Public School Employees'  
Retirement System,  
Board of Trustees

South Central Pennsylvania Caucus, Chairman

**TO:** All House Members  
**FROM:** Representative Glen R. Grell  
**DATE:** October 18, 2011  
**SUBJECT:** Cosponsor Legislation – MCARE

In the near future, I plan to introduce legislation to amend the MCARE Act (Act 13 of 2002) that would provide further tort reform for certain healthcare providers.

Currently, Section 505(d) of the MCARE Act contains a provision that limits the amount of punitive damages against physicians to 200 percent of the compensatory damages. My legislation would extend this protection to other healthcare providers, specifically personal care homes, assisted living communities, long-term care nursing facilities, home care, home health, and hospice care.

Pennsylvania has a national reputation as having a favorable climate for plaintiff lawyers which includes the manner in which punitive damages are treated. Thus, while punitive damage awards are infrequent, they are routinely asked for today in civil lawsuits. Therefore, because of the difficulty of predicting whether punitive damages will be awarded by a jury in any particular case (and the marked trend toward extremely large amounts when they are awarded) settlement discussions, as well as the entire litigation process, are distorted. The provision in this legislation will correct that and help rebalance the legal system.

By extending the MCARE language on punitive damage limits to these additional health care providers, we can take another step in lowering healthcare costs for consumers and providers in the Commonwealth.

If you wish to join me in cosponsoring this bill, please contact my office at 783-2063 or via email at [lkoch@pahousegop.com](mailto:lkoch@pahousegop.com). I would appreciate your support and cosponsorship.

GRG/lak