



To: Senate Committee on Judiciary

From: Rachelle Colombo
Executive Director, Kansas Medical Society

Date: February 2, 2023

Subject: SB 74; Third Party Financing of Lawsuits

The Kansas Medical Society (KMS) and the Kansas Medical Mutual Insurance Company (KAMMCO) appreciate the opportunity to offer comments in support of SB 74. KMS is the only statewide association advocating for physicians in every specialty and is dedicated to improving the environment in which Kansas physicians practice medicine and to protecting the health of Kansans. KAMMCO is a medical professional liability insurance company providing coverage for the majority of Kansas physicians, hospitals and long-term care facilities.

We appreciate the opportunity to submit written testimony in support of SB 74, providing for joint liability for costs and sanctions in third-party funded litigation, requiring certain discovery disclosures and requiring payment of certain costs for nonparty subpoena.

Kansas' medical professional liability climate has steadily improved over the last several decades and is now ranked among the best states in the nation for a positive liability climate. This status is the hard-fought result of reforms put into place to ensure that Kansans have access to the very best physician-delivered care and a reasonable recovery in the case they experience an adverse event.

Access to quality care depends upon a stable liability environment. Policies which encourage litigation have the opposite impact on businesses and medical professionals looking to locate practice in Kansas.

KMS and KAMMCO support restricting third party financing of lawsuits which encourage litigation and increase liability costs and decrease access for quality care for all Kansans. Thank you for considering these comments in support of SB 74.