



FORMERLY PENNSYLVANIA TRIAL LAWYERS ASSOCIATION

121 South Broad Street, Suite 600 • Philadelphia, PA 19107-4544

Phone 215.546.6451 • Fax 215.546.5430

Contact: Robert Bershad; robert@pajustice.org 215.546.6461 x 101

pajustice.org

IMMEDIATE RELEASE: PHARMA/INSURANCE LEGAL REFORM SUMMIT

MESSAGE #2 of 4: BASIC FAIRNESS IS A THING OF THE PAST

HARRISBURG, PENNSYLVANIA – Participants in today’s Legal Reform Summit at the Harrisburg Crowne Plaza want to rewrite Pennsylvania’s joint and several liability law, which will effectively destroy two longstanding moral principles: (1) wrongdoers are responsible for making full restitution to the injured person and (2) someone who is injured must be fully compensated.

Joint and several liability is a centuries’ old backup plan to make sure an injured person is fully compensated. When two or more defendants injure someone, each defendant must pay a portion of the damages he helped cause. But if one of them cannot pay for lack of insurance, then the law provides a backup plan to ensure the injured person is fully compensated: the remaining costs are borne by the defendant with the ability to pay, not by the injured person.

But today’s Summit participants want to leave these principles in the past. Under their proposal, if a defendant can’t pay, then that defendant’s share is not borne by the other defendant. Instead, that share is paid by (1) the healthcare provider who is still owed for medical bills, (2) the injured person and their family, and/or (3) the taxpayer through state and federal programs such as Social Security or Medicaid/Medicare.

Their proposal will shift the costs of injury away from those responsible for the injury and onto injured people and the Pennsylvania taxpayer, and another corporate bailout that won’t bring a single job to Pennsylvania.

##