



MEDICAL PROFESSIONAL LIABILITY ASSOCIATION

May 9, 2025

The Hon. Ron DeSantis, Governor
400 S Monroe St
Tallahassee, FL 32399

Dear Governor DeSantis:

On behalf of the Medical Professional Liability Association (MPL Association) and its more than 48 domestic medical professional liability insurance company and captive insurance members, including entities domiciled and/or doing business in Florida, I am writing to request that you veto HB 6017, which would greatly expand liability litigation in your state.

The MPL Association is the nation's leading trade association representing insurance companies, risk retention groups, captives, trusts, and other entities owned and/or operated by their policyholders, as well as other insurance carriers with a substantial commitment to the medical professional liability (MPL) line. MPL Association members insure more than 2.5 million healthcare professionals around the world—doctors, dentists, oral surgeons, nurses and nurse practitioners, podiatrists, and other healthcare providers. MPL Association members also insure more than 3,000 hospitals and 50,000 medical facilities and group practices globally.

We are very concerned about the litigation environment in Florida, something the bill would most certainly worsen. As you are well aware, tort reforms enacted in 2023 via HB 837 have improved both the litigation environment and the insurance market, but it can take considerable time before the full measure of such reforms are realized. As such, making dramatic changes in the litigation environment at this time may undermine the progress that has been made, especially in long-tail lines of insurance such as medical professional liability.

Even with the aforementioned changes, Florida is still a challenging environment when it comes to civil liability lawsuits, including those related to MPL. Data from the National Practitioner Data Bank indicates that, of the larger states in the nation, Florida has one of the highest rates of paid medical liability claims as a percentage of the number of health practitioners that serve there. In fact, in Florida the likelihood of a health professional (and their insurer) having to pay a medical liability claim is nearly twice that of California health professionals, and almost three times that of a health professional in Texas. Substantially increasing the likelihood of lawsuits, by greatly expanding the damages available to potential plaintiffs, will only worsen that situation. This also could result in more health professionals choosing to locate to less litigious states, worsening access to care in a state that already projects substantial health professional shortages in the coming years.

In addition, insurance rate trends also show that Florida's litigation environment remains troubled. Medical liability insurance rates in Florida have gone up, based on our analysis, by 25.21% for internal medicine professionals in the Miami-Dade region since 2016. For general surgeons, the situation is even worse, with a 27.86% increase in that same timeframe. When comparing this to the environment in New York, which is one of the few states with a higher percentage of paid MPL claims per health professional, MPL rates in New York climbed only 6.39% for internal medicine professionals over that same time,

and by 17.45% for general surgeons.

HB 6017 would make current circumstances far worse. Our analysis of available insurance industry data suggests that even under an extremely conservative estimate, additional losses to the MPL insurance industry (including both paid claims and legal costs) would be nearly \$60 million annually. Our less favorable estimates suggest that insurer losses would be closer to \$90 million annually. The end result would be further increases to insurance premiums paid by Florida's health professionals in the range of 5.7% to 8.4 %. It should also be noted that this does not take into account the losses which would be attributable to health facilities and other self-insured entities, which would drive the numbers substantially higher.

Establishing a new avenue for filing lawsuits seeking highly subjective noneconomic damages, as HB 6017 does, without putting in place reasonable limits on those incalculable damages, which the legislature declined to do, will expose both MPL insurers and the healthcare professionals they serve to unreasonable liability risks and raise costs for all stakeholders. Given this reality, we strongly urge you to veto HB 6017 and seek more reasonable and fair-minded avenues for addressing the concerns of the bill's supporters.

Thank you for your consideration of this request. Should you have any questions, please do not hesitate to contact me at mstinson@MPLassociation.org.

Sincerely,



Michael C. Stinson

Vice President, Public Policy and Legal Affairs