

# The 2010 Millard J. & Robert L. Heath Award

*The Millard J. and Robert L. Heath Award honors a lay person who has provided outstanding leadership and service to medicine and the community.*

by Tracy Casto, director of public affairs and advocacy

Because of his support of medical liability reform, the DCMS board of directors recognizes Gov. Rick Perry with the Millard J. and Robert L. Heath Award.

The board also cited the governor's support of legislation regarding prompt payment for physicians, which requires insurance companies to pay physicians' claims within 45 days, and cancer research, with creation and funding of the Cancer Prevention Institute of Texas. The board noted the governor's work to increase immunizations and to strengthen the state's public health emergency response system.

In 2003, Perry declared medical malpractice lawsuits a statewide crisis. The Legislature responded by enacting laws intended to reduce the number of meritless lawsuits filed against physicians and hospitals. The lawsuits and jackpot-sized judgments had led physicians' professional liability insurance premiums to skyrocket. As a result, many physicians were drastically reducing their services, especially for the most severely sick or injured Texans, or were planning early retirement. Perry worked with physicians to shepherd the nation's most sweeping medical liability reforms through the Legislature and win voter approval of a constitutional amendment (Proposition 12) to make explicit that the Legislature, not the courts, would have the final say in medical-malpractice matters.

The centerpiece of the reforms was a \$750,000 cap (\$250,000 for physicians, \$250,000 for the first hospital or healthcare facility, and \$250,000 for any additional facilities) on judgments for noneconomic damages, such as pain and suffering, in healthcare liability cases. Actual damages, such as medical bills

or lost income, are not capped. Reforms also include limits on how long after an incident a lawsuit can be filed and tighten requirements for "expert" testimony. Physicians who volunteer their time were provided more protections, and class action rules were reformed.

The reforms have worked. Texas has gained thousands of new physicians, including much-needed specialists and emergency medicine physicians. With tort reform in place, physicians are more likely to accept patients with complex or high-risk problems. Many physicians provide more charity care, participate in volunteer programs, and accept more Medicaid and Medicare patients because of the liability reforms. They are adding in-office procedures and testing, nursing home coverage and after-hours services.

Texas had seen new applications for medical licenses decline for years, but now they're up 60 percent. Regions where specialists were difficult or impossible to find have attracted new talent. The number of insurance companies has increased from four to more than 30. That new competition has decreased malpractice-insurance premiums by up to 20 percent for some physicians.

A fifth-generation Texan, and the state's 47th governor, Perry served 4 1/2 in the U.S. Air Force. He has served in elected office as a state representative, commissioner of agriculture, and lieutenant governor. His contributions to public health and his work to improve patients' access to care through liability reform exemplify his leadership and vision. *DMJ*



Rick Perry

## MEET THESE DEADLINES SO YOU CAN VOTE IN THE MARCH 2 PRIMARY

LAST DAY TO REGISTER TO VOTE: FEB. 1

FIRST DAY OF EARLY VOTING: FEB. 16

LAST DAY TO APPLY FOR BALLOT BY MAIL: FEB. 23

LAST DAY OF EARLY VOTING: FEB. 26

### Voting FAQs

**Q: How can I make sure I'm registered to vote?** A: Go to <http://www.sos.state.tx.us/elections> to "Am I Registered?" You can base your search on your:

- Voter Unique Identifier (VUID), which appears on your voter registration certificate
- Texas driver's license number, if you provided it when you applied for voter registration; first and last name. Or, you can call the voter registrar's office in the county where you reside.

**Q: I'm not registered, but want to vote in the March primary election. How can I be sure I'm registered in time to vote?** A: The deadline to register and be eligible to vote in the March 2 election is Feb. 1. This can be either the postmark date or the date the application is received in the office of the voter registrar. You can get a voter registration application from your voter registrar's office, libraries and most post offices.

**Q: If I send my registration by the deadline, what happens next?** A: Your voter registration becomes effective 30 days after it is submitted (and accepted) by the county voter registrar. The county office will put your name on the voter registration list, generate your voter certificate, and mail it to you. Sign by the X on the "front" of the card (the orange area) and keep your voter card in a safe place. This is what you will take with you to the polls to vote, but as long as your name is on the voter list, you can vote without presenting this certificate.

Find more answers to voting and election questions on the Texas Secretary of State Web site, <http://www.sos.state.tx.us/elections/pamphlets/faqs.shtml>, or call 1-800-252-VOTE (8683).

## TEXPAC endorsements on line Jan. 18

TEXPAC (Texas Medical Association Political Action Committee) has withheld completing its list of endorsed candidates until after the Jan. 4 filing deadline. The TEXPAC Candidate Evaluation Committee will meet Jan. 16 in Austin to make endorsement recommendations to the TEXPAC board of directors. These will include endorsements in legislative, congressional, and Texas Supreme Court races. Their decisions will be shown on the DCMS Web site on Jan. 18.