



ALEX PADILLA
California Secretary of State

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FOR IMMEDIATE RELEASE

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Proposed Initiative Enters Circulation

Adjusts Limitations In Medical Negligence Cases. Initiative Statute.

SACRAMENTO, CA – Secretary of State Alex Padilla announced that the proponents of a new initiative were cleared to begin collecting petition signatures yesterday.

The Attorney General prepares the legal title and summary that is required to appear on initiative petitions. When the official language is complete, the Attorney General forwards it to the proponents and to the Secretary of State, and the initiative may be circulated for signatures. The Secretary of State then provides calendar deadlines to the proponents and to county elections officials. The Attorney General's official title and summary for the measure is as follows:

ADJUSTS LIMITATIONS IN MEDICAL NEGLIGENCE CASES. INITIATIVE

STATUTE. In medical negligence cases, adjusts for inflation: (1) \$250,000 limit established in 1975 on quality-of-life and survivor damages (which include pain and suffering); and (2) contingent attorney's fees limits established in 1987. In cases involving death or permanent injury, allows judge or jury to exceed these limits and requires judge to award attorney's fees. Requires attorneys filing medical negligence cases to certify reasonable basis for claims or good faith attempt to obtain medical opinion; attorneys who file meritless lawsuits must pay defendant's expenses. Extends deadlines for filing medical negligence lawsuits. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: **Increased state and local government health care costs predominantly from raising or removing the cap on noneconomic damages in medical malpractice cases, likely ranging from the low tens of millions of dollars to the high hundreds of millions of dollars annually.**

(19-0018.)

The Secretary of State's tracking number for this measure is 1877 and the Attorney General's tracking number is 19-0018.

The proponents of the measure, Scott Olsen, Nelson A. Moreno and Bree Lynn Moreno, must collect signatures of 623,212 registered voters (five percent of the total votes cast for Governor in the November 2018 general election) in order to qualify it for the ballot. The proponents have 180 days to circulate petitions for the measure, meaning the signatures must be submitted to county elections officials no later than June 1, 2020. The proponents can be reached c/o James C. Harrison of Remcho, Johansen & Purcell, LLP at (510) 346-6203. The address for Remcho et al., LLP is 1901 Harrison Street, Suite 1550, Oakland, CA 94612.

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