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California Secretary of State

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New Measure Eligible for California's November 2022 Ballot *Adjusts Limitations in Medical Negligence Cases. Initiative Statute.*

SACRAMENTO, CA – Secretary of State Alex Padilla announced that an initiative became eligible for the November 8, 2022, General Election ballot today.

In order to become eligible for the ballot, the initiative needed 623,212 valid petition signatures, which is equal to five percent of the total votes cast for governor in the November 2018 General Election.

A measure can become eligible via random sampling of petition signatures if the sampling projects that the number of valid signatures is greater than 110 percent of the required number. The initiative needed at least 685,534 projected valid signatures to become eligible by random sampling, and it exceeded that threshold today.

The Attorney General's official title and summary of 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 proponents of the measure are Scott Olsen, Nelson A. Moreno and Bree Lynn Moreno. They can be reached c/o George M. Yin of Kaufman Legal Group at (213) 452-6565. The address for Kaufman Legal Group is 777 S. Figueroa Street, Suite 4050, Los Angeles, CA 90017.

For more information about how an initiative qualifies for the ballot in California, visit <https://www.sos.ca.gov/elections/ballot-measures/how-qualify-initiative/>.

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