

2018 Candidate Questionnaire

Candidate Name: Marc Korman

Address: 7104 Exeter Road Bethesda, MD 20814

Telephone: 240/447-1175 Email: marc@marckorman.com

Campaign Point of Contact (POC) Name: Marc Korman

POC Position: _____

POC Telephone: _____ POC Email: _____

Candidate For:

_____ MD Governor

X MD House of Delegates _____ MD Senate

Legislative District (when applicable): 16

Please complete the questionnaire by January 8, 2018. Surveys can be scanned and emailed to info@mdmaternityaccess.org or mailed to 111 S Calvert St, Suite 2820, Baltimore, MD 21202.

1. According to a January 2016 statewide poll by OpinionWorks, 71% of Maryland voters agree that trial lawyers contribute to the high cost of health care because of lawsuits against doctors and hospitals¹.

Do you agree that trial lawyers contribute to the high costs of health care? Yes or No (Circle One)

2. We would like to ask for your opinions about a difficult health issue, concerning babies who are severely injured during childbirth either through natural causes or medical accidents during childbirth, and who suffer permanent, lifetime disability as a result.

Have you heard about this issue before? Yes or No (Circle One)

3. When a baby is injured during birth, the family will have to cope with significant health care costs, and the child may need special care throughout his or her life. Right now in Maryland, the only remedies for

¹ http://www.mdmaternityaccess.org/uploads/4/5/5/9/45592643/birth_injury_fund_poll_memo_1.19.16.pdf

the family are to find a lawyer and sue the doctor and hospital, or to pay the child's expenses themselves. During the 2017 MD Legislative Session, the Maryland General Assembly Session considered legislation (SB877/HB1347) to create a special fund – paid for by doctors and hospitals – to cover the lifetime cost of care for children who experience permanent birth injuries, rather than requiring the family to seek compensation through the courts.² The proposal is based upon the best practices of birth injury fund programs in Florida and Virginia, which have been in place since the 1980s. Under a Maryland program, more babies who suffer birth injuries will get the lifetime care they need because acceptance into the program is based on the injury, not the outcome of a lawsuit.

Would you generally favor or oppose legislation creating such a Birth Injury Fund in Maryland? Favor or Oppose (Circle One) *Generally favor although that does not necessarily preclude a remedy against a liable party.*

4. An average award from the proposed Birth Injury Fund may be \$3-4 million paid as needed over time to cover a lifetime of health care that would include nursing care, lost wages after age 18, and an up-front payment for pain and suffering. According to the same January 2016 Opinion Works Poll, Maryland voters overwhelmingly support the creation of a Birth Injury Fund like described above (71% favor/16% oppose). In addition, a majority of Maryland voters (64%) believe that it is fair to give up the right to sue in exchange for accepting an award from a Birth Injury Fund.

Do you agree that giving up the right to sue is a fair requirement of accepting an award from a Birth Injury Fund? Yes or No (Circle One)

5. According to a past Maryland Hospital Association survey, hospitals experienced a 108% increase in total settlement costs for birth injury claims between 2009 and 2013. Almost 93% of Maryland hospitals are concerned that recent multi-million dollar jury awards involving birth injury cases could eventually result in a significant reduction of obstetrics services in Maryland. 25% of respondents indicate that their hospital/system has implemented or considered a reduction in obstetric related services as a result of the current environment.

Are you concerned that these medical liability costs could create a crisis in access to obstetrical care for Maryland women? Yes or No (Circle One) *Yes, but I also see several policy solutions, such as preventing or reducing birth injuries.*

6. Access to quality prenatal services are known to improve birthing outcomes, yet we need more programs and initiatives to safeguard these services in Maryland, such as those offered by B'More for Healthy Babies in Baltimore City or Healthy Start, Healthy Families in Prince George's County. A December 2014 Department of Health & Mental Hygiene Workgroup on Access to Obstetrical Care report states: "Early prenatal care through such programs also helps reduce adverse outcomes for moms and babies and, thereby, avoids professional liability claims in some cases. Continued investment

²Senate version: <http://www.mgaleg.maryland.gov/2017RS/bills/sb/sb0877f.pdf> , house version: <http://mgaleg.maryland.gov/2017RS/bills/hb/hb1347f.pdf>

in these quality improvement efforts is critical because of their direct and indirect effect on access to care.”³


Are you aware that roadblocks in accessing prenatal care, particularly for underserved women, contribute to bad birth outcomes? Yes or No (Circle One)

7. The plight of access to maternity care in Maryland is only getting worse. In the fall of 2015, Laurel Regional Hospital announced a transition to a 24-hour ambulatory care center. The *Baltimore Sun* reported that since the announcement, “the hospital saw roughly 118 layoffs, including the closure of the hospital’s maternity and child health unit...” Just last month, the *Washington Post* reported that the closure of Providence Hospital’s “...labor and delivery unit, as well as two other recent changes to maternal services in the District, has disproportionately affected low-income women — including in some of the poorest areas of Washington, where access to care already was scarce...” Furthermore, the December 2014 DHMH Workgroup Report stated that “...it is noteworthy that the largest decrease in the number of practicing OB-GYNs was in Baltimore City, which is also viewed in the medical and insurance communities as a jurisdiction with higher litigation risks for providers. From 1995 to 2011, the number of physicians practicing general obstetrics and gynecology dropped from 281 to 157 and the number of physicians practicing a specialty of obstetrics and gynecology dropped from 51 to 17.”

As a candidate for public office in Maryland, what public policy solutions would you propose to address this critical public health issue for Maryland women? (Write answer below)

Focusing resources, training, and incentives — particularly in high need areas — can help. Improving Medicaid reimbursement rates would be particularly helpful.

Candidate Signature: _____



Date: _____

12/12/17

Maryland Maternity Access Coalition is organized and operated for social welfare purposes within the meaning of Section 501(c)(4) of the Internal Revenue Code. For more information, visit mdmaternityaccess.org.

³ http://dlslibrary.state.md.us/publications/JCR/2014/2014_73.pdf