



*Representing the advocacy interests  
of hospitals and health systems on Long Island and in the Hudson Valley*

# OPPOSITION

## MEMORANDUM

June 19, 2017

**TO:** Members, Long Island Delegation of the New York Legislature  
Members, Hudson Valley Delegation of the New York State Legislature

**FROM:** Kevin W. Dahill, President and CEO

**RE:** S.6738A (DeFrancisco) – in Senate Rules Committee  
A.8466A (Weinstein) – in Assembly Judiciary Committee

New York consumers are protected under current law from excessive contingency fees, but S.6738A/A.8466A would undo those critical protections. This proposal would allow claimants' attorneys to receive unlimited contingency fees in medical, dental, and podiatric malpractice cases. **The Suburban Hospital Alliance of New York State strongly opposes this bill.**

Consumers have the right to be fairly compensated for their injuries, and to retain a fair proportion of any legal settlement they are awarded. Current law imposes a sliding scale that limits contingency fees, but S.6738A/A.8466A would repeal these limitations.

If enacted, S.6738A/A.8466A will result in one of two possible outcomes. Either injured patients will be victimized a second time by receiving a smaller proportion of legal settlements, or the total amount of the award will be inflated. Under the second – and more likely – scenario, already-unsustainable medical liability premiums will soar. The level of compensation for plaintiffs' attorneys goes up either way.

**For the reasons cited above, the Suburban Hospital Alliance strongly opposes this legislation and urges you to vote against it.**