



Lawsuit Reform Alliance of New York

Justice. Fairness. Common Sense.

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Statement from LRANY Executive Director, Tom Stebbins, on Governor Cuomo's Budget Proposal

(ALBANY, NY) – “The budget released today by Governor Cuomo omits critical legal reforms that would both reduce state Medicaid spending and provide meaningful mandate relief. These reforms would help generate millions in revenue, save our state and municipalities crucial tax dollars, and generate jobs and economic growth.

We applaud the Governor's creation of a Medicaid Redesign Team (MRT) and the Mandate Relief Council. However, the Medical Liability Reform Workgroup of the MRT deadlocked and failed to deliver the cost-saving recommendation of non-economic damage caps which the committee, and the Governor, supported last year. As the state begins to take a larger share of local Medicaid expenses, these reforms become more critical to the State's financial health.

We are hopeful that the Mandate Relief Council will be more successful and support reforms to provide jobs, cost-savings and economic development to our local communities. These reforms include:

- Scaffold Law Reform – The notorious “Only-in-New York” absolute liability standard drives up the cost of public projects and exposes our municipalities to large legal settlements even if they were not at fault. Reform will lower the cost of the Governor's proposed infrastructure investments, freeing up money for more jobs and more economic development.

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- Fair Share Liability – Municipalities are often roped into lawsuits because if they can be found 1% responsible, they can be forced to pay 100% of the judgment. New York should implement a pure comparative negligence – or “fair share” liability standard for all civil actions.
- Non-Economic Damage Cap – Massive pain and suffering judgments drive up the cost of healthcare for all New Yorkers and are driving medical professionals from our State. Many studies have predicted that reform will generate millions of dollars in revenues for New York’s cash-strapped budget while improving the availability and cost of health care for all New Yorkers.

These simple reforms provide real mandate relief at no cost to taxpayers. We urge the Governor and the Mandate Relief Council to support their immediate passage.”