

### The history of the medical malpractice cap

- **1976:** Total cap of \$750,000 established.
- **1983:** Cap was increased by \$250,000 to \$1 million.
- **1999:** Cap was increased by \$500,000 to \$1.5 million with scheduled annual increases.
- **2000 to 2006:** Cap was increased annually by \$50,000 increments to \$1.85 million.
- **2007 to 2008:** Cap was increased annually by \$75,000 increments to \$2 million.
- **Jul. 1, 2008:** Cap matured to \$2 million.

### MSV work on medical liability

- **1976 to today:** MSV advocates for a medical liability environment that promotes quality, patient safety and enhanced access to care.
- **2004:** MSV convenes Tort Reform Taskforce to identify opportunities for improving Virginia's medical liability climate.
- **2007:** MSV convenes Medical Liability Advisory Group to provide guidance, research and analytical support.
- **2008:** MSV establishes Physicians Advocacy Initiative to support effective protection of the cap.
- **2008 to today:** MSV acts on multi-year strategy to protect the cap.

### The history of stakeholder discussions: *Johnson v. Riverside* and medical malpractice cap

- **2005:** *Johnson v. Riverside* ruling.
- **2008:** Legislators encourage MSV, VHHA and VTLA to meet and see if a mutually agreeable solution can be identified regarding *Johnson v. Riverside*.
- **Dec. 2008:** MSV, VHHA and VTLA begin facilitated discussions on *Johnson v. Riverside*.
- **Mar. 2009:** MSV, VHHA and VTLA are given an ultimatum from legislators to find an equitable and long-term solution to the cap.
- **May 2009:** MSV, VHHA and VTLA begin discussions regarding the cap. The parties agree that *Johnson v. Riverside* discussions would be separate from cap discussions.
- **Summer 2009:** After *Johnson v. Riverside* conversations falter, VTLA appoints new stakeholder team to discussions. To date the group has not reconvened.
- **Oct. 2010:** MSV and VTLA achieve a 20-year agreement that protects the total cap.
- **Today:** MSV strongly encourages continued discussions regarding the issues stemming from *Johnson v. Riverside*.