

JERRY F. COSTELLO

12TH DISTRICT, ILLINOIS
www.house.gov/costello

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Congress of the United States
House of Representatives
Washington, DC 20515-1312

January 4, 2005

The Honorable George W. Bush
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear President Bush:

I thank you for coming to southwestern Illinois and for keeping the issue of medical malpractice reform in the forefront. Unfortunately, I will be in Washington, D.C. as we reorganize the House and our committees. However, I would like to repeat what I believe needs to be addressed in a legislative solution to this complicated, critical problem.

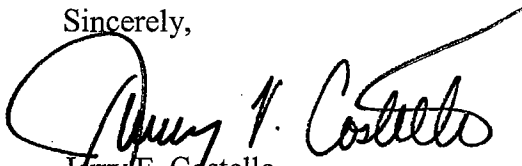
While I believe that malpractice and tort reform are issues that should be addressed at the state level, as passing legislation at the federal level will pre-empt legislation enacted by as many as one-half of the states on these issues, I respectfully suggest that legislation only capping non-economic damages without accountability on the part of the insurance industry will do little to solve the problem.

Therefore, I hope that you will give consideration to the following issues in any legislation that you propose to the Congress:

1. Capping non-economic damages.
2. Forcing insurance companies to appear before the insurance commissioner or similar public body in each respective state in order to justify a rate increase over 15% - similar to the law in California.
3. Establishing a mediation system to handle cases before they enter the court system.
4. Address the issue of forum shopping in filing cases.
5. Establish a system to hold physicians accountable for malpractice and a system to penalize attorneys that abuse the court system.

I urge you to consider these issues if you intend to send medical malpractice legislation to the Congress, and I stand ready to work with you and your staff on this critical issue.

Sincerely,



Jerry F. Costello
Member of Congress

2454 RAYBURN HOB
WASHINGTON, DC 20515
TEL: (202) 225-5661
FAX: (202) 225-0285

155 LINCOLN PLACE CT.
BELLEVILLE, IL 62221
TEL: (618) 233-8026
FAX: (618) 233-8765

1363 NIEDRINGHAUS AVE.
GRANITE CITY, IL 62040
TEL: (618) 451-7065
FAX: (618) 451-2126

250 WEST CHERRY ST.
CARBONDALE, IL 62901
TEL: (618) 529-3791
FAX: (618) 549-3768

8787 STATE ST.
E. ST. LOUIS, IL 62203
TEL: (618) 397-8833

1330 SWANWICK ST.
CHESTER, IL 62233
TEL: (618) 826-3043
FAX: (618) 826-1923

201 E. NOLEN ST.
W. FRANKFORT, IL 62896
TEL: (618) 937-6402
FAX: (618) 937-3307