

# Wyoming Liberty Index

## 61<sup>st</sup> Wyoming Legislature ★ 2011 General Session

### **HB0213, Medical liability-noneconomic damages.**

Sponsors: Representative(s) Gay, Brechtel, Krone, Semlek and Stubson and Senator(s) Jennings and Nutting

#### **Comments**

Creates the Wyoming excess liability account of \$5,000,000 (administered by the AG), a slush fund for paying non-economic damages for doctors. In return, the doctor agrees to a number of things, including to treat people on government medical programs like Healthy Frontiers. The doctor also agrees to have the AG's office fully participate in the defense. We don't need the government butting into an already uncompetitive market for malpractice insurance. Nor do we need the AG telling private attorneys how to run their cases. Moral hazard by government subsidy.

This bill violates the Wyoming Constitution and the Principle that one group should not be favored over another (general welfare). The Wyoming Constitution states: No appropriation shall be made for charitable, industrial, education or benevolent purposes to any person, corporation or community not under the absolute control of the state,... Article 3 Section 36.

Weighted Rating: -2.00. Unweighted Rating: 1.00.

#### **Categories**

Free Market, Health Care Freedom, Limited Government, and Transparency

#### **Document Status**

Final