



The Honorable J.B. Pritzker  
207 State House  
Springfield, IL 62706

February 12, 2021

Dear Governor Pritzker:

We are writing again to urge you to veto House Bill 3360, a harmful measure backed by the Illinois Trial Lawyers Association and passed by the General Assembly.

While we understand that the pandemic has created wide economic hardship for many people in Illinois, it has also put enormous stress on our healthcare professionals. **HB 3360 rewards trial attorneys at the expense of physicians and would allow the court to seize vital financial resources that should instead be directed to patient care.**

This is no way to thank the medical profession after physicians put their own lives and those of their families on the line to fight COVID, take pay cuts, and work long hours, while also suffering from burnout and exhaustion. Many of us are now stepping up to volunteer at mass vaccination centers or serving as part of a volunteer physician corps to overcome vaccine hesitancy. And many of us also face an uncertain economic future post-pandemic.

We believe HB 3360 will substantially increase insurance costs for physicians and employers. If enacted, it will accelerate the closing of small practices as well as safety net hospitals, both vital in the pandemic response, causing further harm to underserved communities across the state. The end result will be reduced access to care for patients and fewer physicians opting to practice in Illinois.

Illinois law has never recognized prejudgment interest in tort actions for personal injury or wrongful death. HB 3360 would instead impose that 9 percent per year prejudgment interest in all tort actions seeking recovery for personal injury or wrongful death with accrual to begin on the date when the defendant is informed of the incident itself or receives written notice. This equates to defendants paying for delays during civil litigation that frequently occur due to reasons outside of a defendant's control. In medical malpractice cases, it could be two years or more before the case is actually filed. This has been further exacerbated by COVID-19, which has dramatically slowed civil proceedings. Given that Illinois has a two-year statute of limitations for most tort actions, HB 3360 could add years of interest to a plaintiff's judgment before any suit is even filed.

Further, the legislation would assess prejudgment interest not just on out-of-pocket losses, like lost wages or medical expenses, but also on pain and suffering damages, which are not devalued by inflation or passage of time.

The bottom line is this: physicians continue to put their lives on the line to fight COVID, while also suffering from burnout and exhaustion. HB 3360 is a slap in the face to professionals making these sacrifices. We urge you to veto HB 3360.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tariq H. Butt'.

Tariq H. Butt, MD  
President  
Chicago Medical Society

Cc: Theodore D. Kanellakes, CEO, Chicago Medical Society