



**PROVIDERS
NEED YOUR HELP.**

**SUPPORT LIMITED
LIABILITY
PROTECTIONS
FOR HEALTHCARE
PROVIDERS.**

Immunity from Civil Liability

Immunity from civil liability for long-term care providers is a critical priority of LeadingAge PA.

Legislative action will support nonprofit long-term care and service providers in the midst of COVID-19 ground zero efforts. Statistics show this terrible pandemic disproportionately harms the aging residents for whom our members are doing their very best to provide life-saving and life-sustaining care and services.

- Our members are on the frontlines of preventing infection and containing the spread of COVID-19.
- Health care providers need limited liability protections from civil suits, for decisions made in the good faith provision of care and services during the COVID-19 public health emergency.
- The PA Department of Health, Centers for Disease Control and Prevention, and Centers for Medicare and Medicaid Services guidance and response continues to change and has been confusing to providers. Sometimes the guidance between state and federal government has been contradictory.
- Many circumstances are beyond the control of long-term care providers, including substantial challenges with personal protective equipment, availability of testing and staffing hurdles.
- Surrounding states have realized the need, and enacted protections legislatively or through executive actions.
- The litigious environment in PA is driving liability insurance premium renewals up 25 to 75% (\$35K to more than \$200K) before any claims have been filed. The expectation is that premiums will continue to rise or providers may not be able to find liability insurance coverage if immunity is not assured for this crisis.
- Pennsylvania has historically been a prosperous venue for predatory attorneys.
 - COVID-19 has increased the pressures on all healthcare providers.
 - The last concern of our healthcare heroes should be concern of frivolous lawsuits as they work tirelessly to compassionately care for their residents.

**The immunity protection we seek would
not apply in criminal cases, cases of gross
negligence, or conduct with an intent to harm.**