**Testimony of Florida Consumer Action Network (FCAN) and Florida Public Interest Research Group in Opposition to SB 74, by Sen. Brandes, COVID Claims Against Health Care Providers**

Honorable Chair Brandes and Senators of the Judiciary Committee,

The Florida Consumer Action Network and Florida PIRG are statewide non-partisan, non-profit consumer advocacy groups with thousands of members.

We rise in strong opposition to SB 74, which is an unnecessary, overreaching and harmful effort to make it harder for Floridians to seek justice when harmed through the failure of hospitals, nursing homes and other health care providers, as defined broadly by SB 74, to exercise reasonable care to protect against COVID-19.

We believe our health care providers are sacrificing and working overtime dealing with the COVID-19 virus and deserve protection, but this bill goes too far and isn’t needed. Our health care providers are already protected by several medical malpractice reforms in recent years.

It is an unnecessary measure because the lawsuit tsunami it claims has not occurred. Floridans are not filing COVID-19 lawsuits as claimed. In fact, barely 1.5% of claims are personal injury or health-related cases. There simply is no problem to fix – because the vast majority of businesses and employers have responded to this pandemic responsibly.

In addition to our state’s four decades of medical malpractice reforms, the recently passed federal CARES Act already includes pandemic-related immunity for the healthcare sector that protects health professionals handling this virus.

Finally, when Floridians are facing the challenges of this pandemic, they should be afforded the protections already provided by current laws. Expanding immunity is not only unnecessary, but also a denial of a last resort lifeline for the citizens of this state.

Please vote NO on SB 74.

Susan McGrath

Executive Director

Florida Consumer Action Network