

March 26, 2020

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

Dear Governor Pritzker:

On behalf of the Chicago Medical Society and 17,000 Chicago area physicians, I am writing to express the urgent need to resolve potential liability issues raised by frontline health professionals amid the historic outbreak of the novel coronavirus (COVID-19).

As the state continues to build on your robust response to the COVID-19 pandemic by freeing up hospital capacity in Illinois, physicians are implementing emergency plans to handle an overwhelming surge in the number of COVID-19 patients.

At your request, physicians have stopped non-emergent tests and procedures. Meanwhile, physicians are practicing outside of their specialties to treat an unprecedented number of patients while learning new technology like telehealth and coming out of retirement to treat sick patients.

But physicians worry these heroic efforts will be overshadowed by a potential lawsuit down the road if an elective surgery turns into an emergency situation or physicians are held responsible for a decision to ration care. We understand hospitals are quickly writing policies that put the onus on physicians to decide who will get a ventilator.

Physicians want to work with you to assist in building capacity at hospitals by ensuring that all available physicians can participate without fear of a lawsuit after doing our best for Illinois patients in this unprecedented public health threat. To do this, we would like for protections to be put in place to limit physician exposure to potential lawsuits. In particular, we ask that you extend “tort immunity” to physicians under your state emergency declaration.

The Chicago Medical Society has been working closely with various state and local health departments and we want to continue to help share information and work on constructive solutions to the health threats facing our state and our nation. Addressing the liability concerns that may arise are part of this effort.

The Chicago Medical Society appreciates your bold leadership for Illinois residents and our patients and stands ready to work with you to address this unprecedented public health threat. If you or your staff have any questions, please contact Ted Kanellakes, CMS Executive Director, at or tkanellakes@cmsdocs.org or 312-953-3154.

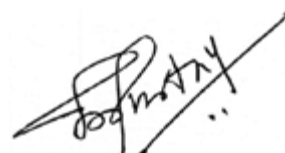
Sincerely,



A. Jay Chauhan, DO, FAOCO
President
Chicago Medical Society



Tariq Butt, MD
President-Elect
Chicago Medical Society



Vemuri Murthy, MD
Chairman of the Board
Chicago Medical Society