

Health Care Provider COVID Liability Protections
House Committee on Judiciary
May 13, 2020

Dear Chairman Patton and Members of the House Committee on Judiciary:

The Kansas Society of Eye Physicians and Surgeons (KSEPS) is pleased to offer our strong and unqualified support in favor of the proposal by the Kansas Medical Society concerning liability protections for health care providers during the pandemic caused by the COVID-19 virus.

Kansas ophthalmologists – eye physicians and surgeons – have continued to provide care to patients with potentially sight-threatening urgent and emergency conditions, as well as those who have eye conditions caused by the COVID virus. However, following the recommendations of public health officials and our own national professional society, most elective surgeries and office visits have been deferred in order to preserve the health care system’s capacity and to fight the spread of the virus, thus protecting the health of both patients and providers. At the same time, many of our members have responded to the overall need by providing patient care outside of their specialty.

Extending health care provider civil liability protections during this public health emergency to eye physicians and other professionals acting in good faith is reasonable, necessary and quite simply, is the right thing to do during this public health crisis. Ophthalmologists and other health care providers should not have their best medical judgment and decisions threatened with unreasonable legal liability while rising to the challenges presented by this novel coronavirus, nor should they be adversely impacted because elective procedures have been necessarily delayed.

We believe the health care provider COVID liability protection proposal presented by the Kansas Medical Society is reasonable, measured and is needed.

The Kansas Society of Eye Physicians and Surgeons represents the needs and interests of ophthalmologists who provide medical and surgical care, as well as routine vision care, to Kansans throughout the state. KSEPS and its members urge you to give your favorable support to this proposal. Thank you for your consideration.

Sincerely yours,

Eric Fry, MD
President

cc: Doug Smith and Larrie Ann Brown, KSEPS legislative consultants