

March 14, 2023
Opponent Testimony
Written Only
Joyce Whittier
Shawnee, KS

Dear Chairwomen Gossage and Committee Members:

I am writing to urge you to vote against HB 2264.

We need a bill that would protect the rights of patients and their families. This bill is nothing but a special interest bill designed to give hospital and hospice facilities the ability to control patient visitation with a heavy government hand while protecting those facilities from civil liability. It does NOT promote health care freedom, and it certainly does not follow the Republican Party Platform that states individuals should have control over their own healthcare.

We have seen the heavy hand of government at work over the past two years, and we have been the victims of lockdowns, mask mandates, vaccine mandates, etc. This bill would allow a hospital or hospice facility to force a patient to be vaccinated.

We are beginning to learn of the tremendous number of adverse effects of these vaccines, particularly blood clots and heart issues in otherwise healthy young men. We now know that Pfizer discontinued its animal trials because the animals were dying. These vaccines were never given full approval; instead, they were given emergency use approval.

Any bill that takes away the right of a family member to sue the hospital or hospice facility when their family members die as a result of poor care, forced vaccination, etc., should NEVER be allowed to become law. The statute of limitations for medical malpractice in Kansas is two years, and this bill would violate that law. You cannot allow this to happen.

Vote no on this bill to stand up to big government and Big Pharma.

Joyce Whittier

Shawnee, Kansas

K.S.A. 60-19a01. Personal injury action defined; limitation established; itemization of verdict; no jury instruction on limitation to be given; wrongful death limitation not affected; application limited. (a) As used in this section, "personal injury action" means any action for damages for personal injury or death, except for medical malpractice liability actions.

(b) In any personal injury action, the total amount recoverable by each party from all defendants for all claims for pain and suffering shall not exceed a sum total of \$250,000.

(c) In every personal injury action, the verdict shall be itemized by the trier of fact to reflect the amount awarded for pain and suffering.

(d) If a personal injury action is tried to a jury, the court shall not instruct the jury on the limitations of this section. If the verdict results in an award for pain and suffering which exceeds the limit of this section, the court shall enter judgment for \$250,000 for all the party's claims for pain and suffering. Such entry of judgment by the court shall occur after consideration of comparative negligence principles in K.S.A. 60-258a and amendments thereto.

(e) The provisions of this section shall not be construed to repeal or modify the limitation provided by K.S.A. 60-1903 and amendments thereto in wrongful death actions.

(f) The provisions of this section shall apply only to personal injury actions which are based on causes of action accruing on or after July 1, 1987, and before July 1, 1988.