



American College of
Emergency Physicians®

ADVANCING EMERGENCY CARE 

POLICY STATEMENT

Approved April 2017

Reform of Tort Law

Reaffirmed April 2017

Revised April 2011,
August 2009

Reaffirmed October
1998

Originally approved as Council
Resolution CR027 titled,
“Reform of Tort Law”
September 1985

ACEP endorses in principle federal laws, state legislation, or constitutional amendments to implement tort legal reforms, including but not limited to the following:

- Limitation of liability for non-economic damages;
- Holding judges accountable for the quality of scientific evidence presented in medical malpractice litigation;
- Joint and several liability;
- Recognition of collateral sources of compensation in granting awards;
- Structured payment systems for damage awards;
- Reduction of term length in statutes of limitation;
- Controls on attorney’s contingency fees;
- Qualifications for expert witnesses;
- Apologies without admissibility;
- Sovereign immunity for EMTALA required services;
- Recognition of local standards of care in rural areas;
- Immunity for following guidelines; and
- Pilot programs to study innovation such as health care courts and publishing expert witness opinions.