

Issue:**Medical Criteria for Asbestos/Silica Lawsuits****Information:**

West Virginia's businesses and citizens are paying a price for asbestos and silica "forum shopping." Preserving the rights of those injured or sick and those who may become sick is a vital public policy matter. However, the current lack of established standards and criteria for filing asbestos and silica claims is causing a congested court system and payouts to individuals who are not currently suffering from asbestos-related and silica-related illnesses. The effect is that individuals who have legitimate claims must compete for the compensation they deserve.

Adding to the problem is the fact that claimants can be screened for asbestosis or silicosis by doctors who may never have actually met their "patients."

An important step in changing this environment is commonsense legislation that preserves the rights of those currently injured or sick and that leaves the door open to claimants who may become sick in the future.

Action:

It is for these reasons that the Charleston Regional Chamber of Commerce supports legislation that would establish minimum medical standards before an individual can file a claim for asbestos or silica exposure, including a requirement that any diagnosis of impairment must be made by a physician with a physician-patient relationship with the individual filing the claim.