

Memorandum

Date: May 26, 2009 **From:** Debra Henley FJA Deputy Executive
Director **RE:** Federal Medical Device Safety Act

FJA Thanks U.S. Congresswoman Ileana Ros-Lehtinen for Supporting the 2009 Medical Device Safety Act

U.S. Congresswoman Ileana Ros-Lehtinen (*R-Dade, Monroe*) demonstrated her support for patients by cosponsoring the Medical Device Safety Act (MDSA), a bill that protects patients from dangerous and defective devices. This bill gives consumers the ability to seek compensation for their injuries, medical expenses, and lost wages caused by defective premarket approval devices or inadequate safety warnings. Together with bill sponsors **Reps. Frank Pallone** (*D-New Jersey*) and **Henry Waxman** (*D-California*), along with over 80 House cosponsors, this bill restores the ability of injured patients to hold negligent device manufacturers accountable and reinstates industry standards to maintain product safety after approval and disclose newly-discovered risks to patients and physicians. This legislation explicitly clarifies that state product liability lawsuits are preserved.

By sponsoring this bill that reverses a February 2008 Supreme Court decision in *Riegel v. Medtronic* that gives total immunity to device manufacturers who fail to adequately warn consumers about device risks, **Congresswoman Ileana Ros-Lehtinen** stands on the side of innocent patients.

The FJA applauds her support of the 2009 Medical Device Safety Act. We urge our members to show their appreciation to her as well by contacting her with the information below:

To email Congresswoman Ileana Ros-Lehtinen, please click [here](#) and follow the instructions on the form. Please use the zip code 33155-5544 in order to access the form.

Congresswoman Ileana Ros-Lehtinen
Washington D.C. Office
2470 Rayburn House Office Building
Washington, D.C. 20515
Office: 202.225.3931
Fax: 202-225-5620

Miami, FL Office
4960 SW 72 Avenue
Suite 208

Miami, Florida 33155
Telephone: 305-668-2285
Fax: 305-668-5970

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The Florida Justice Association
Formerly the Academy of Florida Trial Lawyers

218 South Monroe Street
Tallahassee, FL 32301

Phone: (850) 224-9403
Fax: (850) 224-4254

FloridaJusticeAssociation.org

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