

# Black Caucus leader rebuffs Ehrlich's tort reform gesture

By Robert Redding Jr. 1/3/05  
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ANNAPOLIS — The chairman of the state Legislative Black Caucus rebuffed an offer from Gov. Robert L. Ehrlich Jr. and Lt. Gov. Michael S. Steele to discuss their plan for medical malpractice insurance reform during last week's emergency session of the General Assembly.

Delegate Rudolph C. Cane, Dorchester County Democrat and caucus chairman, said neither Mr. Ehrlich nor Mr. Steele was scheduled to address the group during its meeting Tuesday. He did not allow the state leaders to enter the caucus room.

"The governor and the lieutenant governor have a policy that if you would like to meet with them, you need to set an appointment," Mr. Cane said. "No one contacted me to indicate that they would like to meet with the Black Caucus, and you can't contact me while I am in the proceedings of an executive meeting."

Mr. Ehrlich and Mr. Steele, both Republicans, briefly talked to some of the 43 members of all-Democratic caucus as they left their meeting Tuesday. The caucus had met to discuss how the malpractice insurance crisis would affect the black community.

Mr. Cane said he did not consult other caucus members about meeting with Mr. Ehrlich and Mr. Steele before excluding them from the group's proceedings.

He said he made the decision in part because he was told that Mr. Ehrlich was too busy to meet with him after he requested in writing a meeting with the governor at the end of the last session.

"Everything here is partisan," the caucus chairman said. "He didn't see me, I guess, because it was partisan."

"I will give him the respect that is due his office, and I demand the same respect. You just can't break up my meeting because of who you think you are," Mr. Cane said.

Ehrlich spokesman Greg Massoni said he did not know of Mr.

Cane's request and acknowledged that no appointment had been set for the governor to address the caucus.

"The governor's time is valuable, and if [Mr. Cane] really wanted to have some face time with him, it may have been a good idea to allow him into the meeting," Mr. Massoni said. "This governor is very approachable and is out and about more than any governor in recent history. I have a difficult time believing that anybody has a difficult time meeting with the governor."

Some caucus members questioned Mr. Cane's decision.

"I don't think it was the right call," said Delegate Clarence Davis, the Baltimore Democrat who opposed Mr. Cane in elections for caucus chairman in April. "But I think the pressure of the moment played heavy on the decision."

House Deputy Majority Whip Emmett C. Burns Jr. said he would have handled the situation differently.

"I probably would have asked [the governor] to wait until the business was finished and then invited him in," said Mr. Burns, Baltimore County Democrat. "But I don't want to second-guess the chairman."

However, House Deputy Majority Whip Shirley Nathan-Pulliam said Mr. Cane's decision was "very appropriate."

The Democrat-controlled General Assembly on Thursday passed a malpractice insurance reform bill that would end a tax exemption for health maintenance organizations (HMOs), despite Mr. Ehrlich's veto threat.

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when the session got underway.

Ehrlich "would have never called this session if he thought they would play games like this," Stoltzfus said. "He got absolutely lied to."

Busch said that if the governor is not satisfied, he has only himself to blame.

"If the governor had come to a compromise on a funding source, he could have played a strategic role in negotiating tort reform," Busch said.

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*Staff writer Susan Levine contributed to this report.*