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Center For Justice & Democracy Releases New Briefing Book Medical Malpractice: By The Numbers

Today the Center for Justice & Democracy at New York Law School (CJ&D) released the 12th update to its *Medical Malpractice: By The Numbers* briefing book. The fully-sourced 172-page volume includes the latest statistics and research on issues related to medical malpractice, including over 500 footnotes linking to original sources. The briefing book's release coincides with renewed attention to the topic of medical negligence, namely this Sunday's premiere of "License to Kill," a new *Oxygen* television series that focuses on medical malpractice.

Principal briefing book author, CJ&D's Deputy Director for Law and Policy Emily Gottlieb, said, "Viewers of the new series, and indeed anyone interested in learning more about the extent of avoidable patient injuries in this country, should turn to the briefing book as a resource."

As in prior editions, topics include: medical malpractice litigation, health care costs and "defensive medicine," physician supply and access to health care, medical malpractice insurance, patient safety, and special problems for vets and military families. In addition, there are several new sections including sexual assault by doctors, misdiagnoses (the most prevalent and costly type of medical error), childbirth negligence, plastic surgery, how physician stress and burnout leading to errors, and the real cause of insurance spikes for doctors. Among the many new research findings since CJ&D's December 2019 update are:

- Between 2007-2016, the number (frequency) of medical malpractice cases dropped more than 25%. For ob/gyns, the drop was 44%.
- 90 percent of doctors with at least five medical malpractice claims are still in practice.
- There is no "quality of care" information available for 75% of doctors treating Medicare patients.
- The federal government doesn't require hospitals to tell the public how often mothers die or suffer from childbirth complications.
- When Texas enacted severe "tort reform" measures in 2003, access to medical care grew by "close to zero."
- When a state caps damages, rates for cardiac stress tests and other imaging tests, Medicare Part B lab and radiology spending, all rise.
- When it comes to preventing deaths from medical errors, out of 195 countries in the world, the U.S. ranks below the top 50.

(more)

Said CJ&D Executive Director Joanne Doroshow, who edited the briefing book, “Organized medicine continues to push laws that would reduce the accountability of unsafe hospitals and incompetent physicians. Yet hundreds of thousands of patients die each year due to preventable medical errors at the same time insurance claims and lawsuits are dropping.

“We have an enormous patient safety problem in this nation. Even sexual misconduct by physicians is going largely unchecked. The last thing we should do is try to solve these problems by increasing the obstacles harmed patients face in the already difficult process of bringing a case against the person or institution that harmed them.”

A copy of the full briefing book can be found here: <http://centerjd.org/content/briefing-book-medical-malpractice-numbers>

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