



Center for Justice & Democracy  
80 Broad St., 17<sup>th</sup> Floor  
New York, NY 10004  
Tel: 212.267.2801  
Fax: 212.764.4298  
[centerjd@centerjd.org](mailto:centerjd@centerjd.org)  
<http://centerjd.org>

## NEWS RELEASE

**For Release**  
**October 9, 2003**

**Contact: Joanne Doroshow, Geoff Boehm**  
**212/267-2801**

For the last year, doctors and medical societies have complained about lawsuits and pursued a relentless campaign to severely limit compensation to injured patients. In its new White Paper, *Hypocrites of "Tort Reform: Doctors and Organized Medicine"*, the Center for Justice & Democracy (CJ&D) tackles a subject that doctors may not care to discuss: the hypocrisy of their anti-lawsuit crusade.

In *Hypocrites*, CJ&D finds that while lobbying to limit patients' ability to sue and collect compensation from doctors who commit malpractice, doctors regularly bring lawsuits of their own, sometimes suing for hundreds of millions of dollars. Moreover, some of the most outspoken advocates of a \$250,000 lifetime cap on non-economic compensation for injured patients earn well over \$250,000 *a year* –without any pain or suffering at all.

Do doctors "practice what they preach?" The CJ&D explores this question and finds, among other things:

- While lobbying to limit patients' rights to go to court, the American Medical Association (AMA) and state medical societies have sued in 62 cases between 2000 and 2003 as part of their mission to pursue litigation on behalf of doctors.
- In a 2002 report, the AMA called caps that managed care companies try to impose on doctors who sue, "another tactic designed to effectively strip the physician or physician group/network of real remedies in litigation with the [managed care company]." Given the high cost of litigation, the AMA called such limitations "clearly designed to chill the physician from bringing any lawsuit."
- The trade association for OB/GYNs, the American College of Obstetricians and Gynecologists (ACOG), has been an outspoken advocate for a nationwide \$250,000 cap to compensate a catastrophically-injured child for a *lifetime* of suffering. Yet according to ACOG tax filings, several ACOG vice presidents collect well over that amount from ACOG *every year*. The same is true for a number of other doctors pushing for caps.

The report concludes, "The hypocrisy of doctors and medical societies who also support caps runs deep and should give pause to any lawmaker who is being pressured to restrict patients' rights and relieve culpable hospitals, HMOs and physicians from accountability in court."

For copies of the study, contact the Center for Justice & Democracy, <http://centerjd.org>.