

Doctors, Patients Will Benefit from New Limits on Medical Liability Suits

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After seven years, persistence has paid off for physicians and their patients here in Tennessee. With the signing of a new law to reduce the number of unwarranted medical liability lawsuits filed in our courts, all Tennessee patients stand to reap the fruits of this labor.

Tennessee doctors are hopeful that this new law will keep them out of courtrooms and give them more time in exam rooms.

Under the new law, before a trial attorney can file a malpractice lawsuit, a qualified medical expert must conclude there is a good reason to pursue the claim, and then the lawyer must provide 60-days notice to a medical provider that the lawsuit will be filed.

For the physician members of TMA, these reforms will allow them to focus more on their practice and your health, rather than spending time meeting with lawyers and providing depositions for unwarranted liability lawsuits. State of Tennessee data shows more than 80 percent of medical malpractice claims filed last year ended in no payouts to plaintiffs. But all of these cases took physicians away from their patients and clogged up an already overloaded court system. They also drove up the cost of malpractice insurance which, in turn, contributed to the overall cost of health care here and across the nation.

It was time for these reforms because residents in Tennessee are paying twice for these unwarranted claims – first as taxpayers for paying for the judicial system and second as consumers of health care.

So the new liability laws should keep money in patient's pockets. During our latest three-year effort to pass reforms, we found that Americans pay

between \$70 billion and \$120 billion more every year for healthcare services because of the fear of litigation. With Tennessee accounting for two percent of the United States population, each Tennessee family could save as much as \$1,000 per year in health care spending if the legislature makes additional to our medical liability laws.

The new environment should begin to pay off in lower health-care costs for Tennesseans. One possibility is that your physician may stop ordering additional tests and procedures because of a better legal climate. Another benefit, especially in rural areas, is residents may save money by not having to drive an hour or more to see a specialist in a larger community. The best benefit will be the ability of our doctors to focus on their next patient, not their next deposition!

These reforms will pay off for patients for years to come.

Dr. F. Michael Minch is the former chairman of the board of the Tennessee Medical Association and currently chairs the task force on medical liability.