

# Tort Reform Will Rescue Doctors

The Wall Street Journal

June 6, 2008

Joseph Nixon's Cross Country column "Why Doctors Are Heading for Texas" (May 17) hit the nail on the head: Medical liability reforms, including a cap on non-economic damages, work. Therefore, if we know how to keep physicians in patient care instead of tied up in the courts, why hasn't every state (and Congress) passed meaningful tort reform?

The answer is tangled up in the powerful lobby for trial attorneys, which has a vested interest in maintaining the status quo. Luckily for patients in states like Texas and California, the state legislatures have taken action to ensure that while patients still get their day in court, physicians no longer have to fear devastating lawsuits. Once that threat has been removed, insurers have responded by lowering premiums for medical liability insurance, allowing physicians in high-risk specialties to continue delivering babies and conducting delicate surgeries. For proof, just follow the money. In New York, where reforms remain out of reach, some obstetrician-gynecologists pay as much as \$177,880 a year for liability insurance, while in California some obstetrician-gynecologists pay as little as \$63,272.

The American Medical Association is dedicated to working for medical liability reforms that strike the right balance to keep physicians caring for patients, while allowing patient access to the court system. Based on evidence like physicians migrating to states with reforms, we believe reforms that include a \$250,000 cap on non-economic damages are the way to heal the medical liability system.

**J. James Rohack, M.D.**

Board Member

American Medical Association

Chicago