

**CENTER FOR MEDICAL CONSUMERS
NEW YORK PUBLIC INTEREST RESEARCH GROUP
NEW YORK STATEWIDE SENIOR ACTION COUNCIL
PATIENT INFORMATION ALLIANCE
PULSE OF NEW YORK**

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NEWS RELEASE

**REPORT: FEDERAL DATA SHOWS “REMARKABLY STABLE” MEDICAL
MALPRACTICE SITUATION IN NEW YORK STATE**

**NEVER-BEFORE-RELEASED INFORMATION SHOWS DECLINE IN MALPRACTICE
PAYMENTS RESULTING FROM OBSTETRIC INJURIES,
NO LAWSUIT “CRISIS” GROUPS CLAIM**

**CONSUMER, PATIENTS’ RIGHTS AND SENIOR GROUPS URGE STATE AND
CONGRESSIONAL LAWMAKERS TO REJECT SO-CALLED “TORT REFORMS”**

There has been little change in medical malpractice payouts made by New York doctors, that’s according to report released today by a coalition of consumer, patients’ rights and senior organizations. The groups’ report, *Misdiagnosis: The Medical Lobby’s Campaign to Limit the Legal Rights of Injured Patients and a Consumer Response* contained information obtained from the federal government’s National Practitioner Data Bank that showed little change in the amount of New York doctors’ malpractice payments made over the past ten years.

The groups argued that the information clearly shows that insurance companies’ and medical lobbyists’ arguments of a liability system “out of control” were baseless. In letters to state leaders and members of the New York Congressional delegation, the groups urged lawmakers to reject so-called tort reforms. The groups wrote, “We believe that our findings reveal that the malpractice reform campaign waged by organized medicine in New York State is not based on fact and cynically distorts the truth to serve the self-interest of the medical lobby. We also believe that our findings are relevant to any consideration of arguments being made ... to garner legislative support for federal ‘tort reform.’” Instead the groups argued that policymakers focus on proposals to reduce medical injuries, not injured patients’ legal rights.

The groups noted that the Data Bank numbers showed an increase in the average size of malpractice payments that were consistent with the overall increase in health care costs. In addition, the Data Bank’s numbers showed a decrease in the number of payments made to compensate for obstetric injuries. The Data Bank does not keep track of payments made by the specialty of the doctor, only by the nature of the injury that led to the malpractice payout, including both jury verdicts and settlements.

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Links to: Summary of findings and recommendations: <http://www.medicalconsumers.org/pages/MISDIAGNOSISSUMMARY.pdf>
Charts from report: <http://www.medicalconsumers.org/pages/misdiagnosischarts.pdf>
Letter to state policy makers and members of Congress: http://www.medicalconsumers.org/pages/misdiagnosisletteraal_1.pdf
Full Report: <http://www.medicalconsumers.org/pages/misdiagnosis2.pdf>