

There are a lot of lies being told about medical malpractice. A new paper called **Five Myths About Medical Negligence** tackles the issue head-on.

Myth #1: There are too many 'frivolous' malpractice lawsuits.

Fact: There's an epidemic of medical negligence, not lawsuits. Only one in eight people injured by medical negligence ever file suit. Malpractice lawsuits have declined 8 percent over the last 10 years. And a 2006 Harvard study found that 97 percent of claims were meritorious. The study stated, 'Portraits of a malpractice system that is stricken with frivolous litigation are overblown.'

Myth #2: Malpractice claims drive up health care costs.

Fact: According to the National Association of Insurance Commissioners, the total spent defending claims and compensating victims of medical negligence was just 0.3 percent of health care costs.

Myth #3: Doctors are fleeing.

Fact: Then where are they going? According to the American Medical Association's own information, the number of doctors in the U.S. has been growing steadily for years. Furthermore, the number of doctors is increasing faster than population growth. The number of physicians has increased in every state.

Myth #4: Malpractice claims drive up doctors' premiums.

Fact: Research has found that there is little correlation between malpractice payouts and malpractice premiums paid by doctors. A **study of the leading medical malpractice insurance companies' financial statements by former Missouri Insurance Commissioner Jay Angoff** found that these insurers artificially raised doctors' premiums and

misled the public about the nature of medical negligence claims. A previous report on malpractice insurers found they had earnings higher than 99 percent of Fortune 500 companies.

Myth #5: Tort reform will lower insurance rates.

Fact: Tort reforms have not lowered physicians' liability premiums. While insurers do pay out less money when damages awards are capped, they do not pass the savings along to doctors by lowering premiums. Even the most ardent tort reformers have been caught stating that tort reform will have no effect on insurance rates.