

Public Citizen, a national non-profit organization which represents consumer interests through, inter alia, lobbying, litigation, research, and public education, recently issued a comprehensive report which disproves the argument that medical malpractice litigation was the driving force behind increasing medical costs. The **report** is titled 'No Correlation: Continued Decrease In Medical Malpractice Payments Debunks Theory That Litigation Is To Blame For Soaring Medical Costs'.

Public Citizen analyzed data over a 10-year period related to healthcare costs and the number of medical malpractice claims and the amount paid to resolve such claims. The data demonstrates that since 2003 medical malpractice payments have fallen 28.8 percent. During the same time, the nation's healthcare costs have risen 58.3 percent. Public Citizen summarized its findings as follows: "The divergence between healthcare costs and medical malpractice litigation affirms what critics of imposing malpractice litigation restrictions have said all along: That litigation is not to blame for rising costs or inadequate access to care."

Since 2003, both the frequency of medical malpractice payments on behalf of physicians and the amount of money paid out have decreased every year, according to the government's National Practitioner Data Bank, which tracks such payments. In 2012, the number of payments fell to the lowest level ever, setting a new record low for the sixth consecutive year. After adjusting for inflation, 2012 marked the third straight year that the cumulative value of malpractice payments fell to their lowest level on record. The reduction in litigation and malpractice payments has directly resulted from caps on damages that are in place in nearly 30 states. As a result of the reduced litigation and the barriers to bringing medical malpractice claims established through these state-based tort restrictions, many malpractice victims are prevented from receiving fair compensation for injuries suffered through medical malpractice.

The Public Citizen report demonstrates that medical malpractice litigation simply was not the major driver behind increasing healthcare costs. The report suggests: "Members of Congress who are intent on serving the interests of their constituents should turn their attention to implementing recognized safe practices and marshalling resources to identify others instead of wasting their energy in a quest to prevent victims from obtaining just redress."