

THE MEDICAL LIABILITY CRISIS: WOMEN PAYING THE PRICE

“It has never been safer to have a baby and never more dangerous to be an obstetrician.” (JAMA, October 5, 2005)

American Women Are Losing Access to Vital Health Care Services

Women are particularly vulnerable to losing access to essential health care services because ob-gyns have become a favorite target of personal injury attorneys.

- One in seven ob-gyns has stopped practicing obstetrics due to the high risk of liability claims, according to one recent survey. Twenty-five percent have limited the amount of high-risk obstetric care they are willing to offer, 12 percent have reduced the number of babies they deliver, and 5 percent have stopped performing major gynecologic surgery altogether. *(American College of Obstetricians and Gynecologists 2004 Survey)*
- Soaring medical liability insurance premiums have led to reduced access to obstetrics and emergency surgery services, particularly in rural areas, because certain doctors in high-risk specialties are no longer serving on-call to hospital emergency departments. *(August 2003 General Accounting Office report, “Medical malpractice: Implications of Rising Premiums on Access to Health Care”)*
- Women may suffer from the effects of spiraling medical liability costs more than men, as ob-gyns limit their services and radiologists threaten to stop reading mammograms. *(Pew Charitable Trusts)*

Ob-Gyns Fighting Lawsuits Rather Than Fighting for Their Patients’ Health

Instead of being able to focus on their patients, more and more doctors today are being hauled into court to defend their reputations and their professional decisions against claims that turn out in most cases to be without merit.

- More than 76 percent of ob-gyns reported they have been sued at least once; 57 percent have had two or more claims filed against them; 41.5% have had three or more claims. *(American College of Obstetricians and Gynecologists 2004 Survey)* Ob-gyns have an average of 2.6 claims filed against them in their career. *(American College of Obstetricians and Gynecologists 2004 Survey)*

- Almost half (49.5%) of claims against ob-gyns are dropped, dismissed, or settled without payment. Of the cases that do proceed to court, ob-gyns win eight times out of ten (81.3%). (*American College of Obstetricians and Gynecologists 2004 Survey*)

Is The Future of Women's Health Care in Danger?

The threat that doctors will relinquish procedures, their practices, or even high-risk specialties such as obstetrics and gynecology is very real in the face of excessive litigation and soaring medical liability costs.

- The number of ob-gyn residency training slots filled by US medical school seniors dropped for the third year in a row in 2004, with only 65% of ob-gyn residency slots being filled. (*American College of Obstetricians and Gynecologists 2004 Survey*)
- Dr. Susan Hagnell grew up in Chicago's Rogers Park neighborhood, attended medical school in Illinois and delivered more than 700 babies at hospitals in the northwest Chicago suburbs. But she delivers babies in Wisconsin now, after her liability insurance bill rose from \$71,848 to \$118,742 in one year. "If I knew what was going to happen," she says, "I would never have become an obstetrician/gynecologist." (*Chicago Tribune, March 12, 2003*)
- Effective reform can make a difference. One study showed that between the years 1975 and 2000, the number of obstetricians in states that had enacted medical liability reforms rose five times more than in states that did not. ("*Malpractice Awards Rose in 1991-2003 At Annual Rate of 4%, Study Finds,*" *Health Care Daily, June 1, 2005*)

An Out-of-Control Medical Malpractice System is Putting Women's Health Care At Risk