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NEW RAND STUDY FINDS BETTER PATIENT SAFETY MEANS FEWER MEDICAL LIABILITY LAWSUITS

SACRAMENTO, CA -- *Lisa Maas, executive director of Californians Allied for Patient Protection (CAPP), issued the following statement in response to a recent study by the RAND Corporation which found that a reduction in the number of preventable patient injuries in California from 2001 to 2005 also corresponded to a drop in malpractice claims.*

CAPP is a coalition of physicians, hospitals, community clinics, local governments, dentists and other groups supporting California's Medical Injury Compensation Reform Act (MICRA) law which provides reasonable reforms on medical liability lawsuits. MICRA provides injured patients unlimited compensation for economic damages (lost wages, medical costs), unlimited punitive damages, but limits non-economic damages (pain and suffering) to \$250,000.

"Now we have an important public policy answer. For the past decade, California has seen a decrease in the frequency of medical liability claims. Many different reasons have been advanced for this positive development and now we know why: patient care is improving because patient safety has improved. The RAND study validates the good work of the health care industry to improve patient safety.

"And thus, it's no surprise that increasing patient safety results in fewer negative medical outcomes and thereby has reduced the number of medical liability lawsuits filed in this state.

"California's ability to make such striking improvements in patient safety over the years can be partly attributed to its stable medical liability environment. With passage of MICRA, the Medical Injury Compensation Reform Act, doctors, hospitals and other healthcare providers are better able to focus on their patients instead of looking over their shoulders, worried about getting sued. We expect to see these positive trends continue.

"It is clear from the RAND data that the drop in medical liability lawsuits is because patient safety has improved not because injured patients cannot retain counsel or receive full recoveries.

"Even though claims frequency has decreased, the percentage of non-meritorious claims has remained constant over this same period, and these matters still waste important funds that could be used for additional healthcare or patient safety efforts.

"Clearly, frivolous lawsuits don't result in better care, just more dollars spent on defensive medicine, unnecessary tests and litigation costs that drive up the cost of health care for everyone. We need to continue to reduce these costs to maintain health care access for all."