

The Medical Liability Crisis: Women Paying the Price

"Women of all ages—including pregnant women—deserve the best possible medical care from experienced physicians. Yet the current litigious environment seriously hampers our ability to deliver quality health care and threatens women's access to care," said American College of Obstetricians and Gynecologists President Douglas W. Laube. (ACOG News Release, November 3, 2006)

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.

- Seventy percent of OB/GYNs have made changes to their practice because of the lack of available or affordable medical liability insurance, and 65 percent have made changes because of the risk or fear of liability claims or litigation.¹
- Between seven and eight percent have stopped practicing obstetrics altogether because of either insurance affordability or availability issues or the risk or fear of being sued.²
- In Hawaii, 42 percent of OB/GYNs have stopped providing pregnancy care for women as of 2007.³
- Eight counties in the state of New York presently do not have a single obstetrician.⁴

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.

- Eighty-nine percent of OB/GYNs reported having had at least one liability claim filed against them during their professional careers, with an average of 2.6 claims filed per OB/GYN. Of these, 37 percent had been sued for care provided during their residency.⁵
- According to the Tennessee Medical Association, 92 percent of OB/GYNs in the state faced legal actions between the years 1995 and 2005.⁶
- The average age at which physicians stopped practicing obstetrics was 48—an age once considered near the midpoint of an OB/GYNs professional career.⁷

¹ American College of Obstetricians and Gynecologists 2006 Survey

² American College of Obstetricians and Gynecologists 2006 Survey

³ "Doctors Urging Lawmakers to Support Tort Reform," KGMB9.com

⁴ Center for Health Workforce Studies, cited in "No Place To Be Born," *New York Sun*, August 25, 2008.

⁵ American College of Obstetricians and Gynecologists 2006 Survey

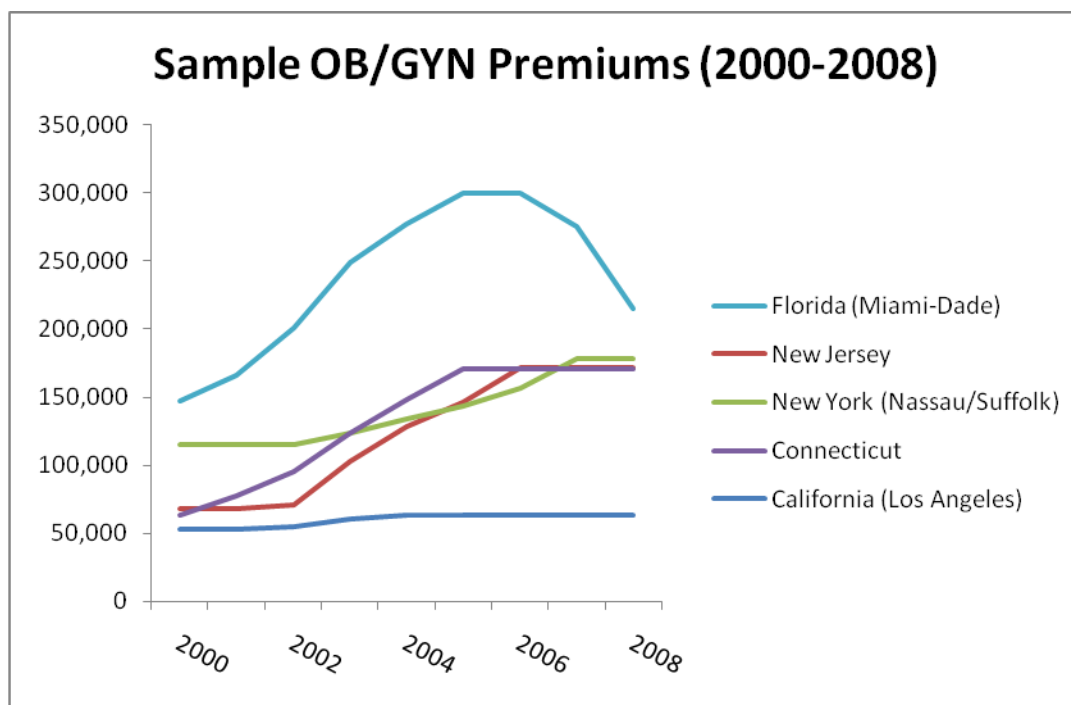
⁶ Tennessee Medical Association, January 2005.

- Nearly 70 percent of claims against OB/GYNs are dropped by plaintiffs' attorneys, dismissed, or settled without payment.⁸

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.

- Without liability reform, medical liability premiums for OB/GYNs will become unaffordable, threatening the access to women's health care.



- More than 1,500 counties in America — about half of all counties — do not have a single obstetrician.⁹
- Pennsylvania OB/GYNs have seen their premiums skyrocket from an average of \$37,556 in 2000 up to \$167,000 in 2008.¹⁰
- Since 1997, the Philadelphia region has seen 17 hospitals end maternity services.¹¹

An out-of-control medical liability system is putting women's health care at risk.

⁷ American College of Obstetricians and Gynecologists 2006 Survey

⁸ American College of Obstetricians and Gynecologists 2006 Survey

⁹ Center for Health Workforce Studies, cited in "No Place To Be Born," *New York Sun*, August 25, 2008.

¹⁰ "Med lawsuit abuse crisis still a crisis," *Philadelphia Business Journal*, July 4, 2008.

¹¹ "Building for babies," *Bucks County Courier Times*, February 23, 2009.