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ORTHOPAEDIC DOCTORS: LIABILITY CRISIS
CONTINUES TO THREATEN PHYSICIAN SUPPLY

HARRISBURG (April 30, 2007) – The head of one Pennsylvania doctors’ group today called recent comments from trial lawyers’ groups “irresponsible and misleading.”

A group claiming to advocate for patients has used a study released last week on the Health Affairs website to say Pennsylvania’s medical liability crisis occurring in 1999-2003 was a “hoax.”

The article titled “Changes in Physician Supply and Scope of Practice During a Malpractice Crisis: Evidence From Pennsylvania” in fact, showed real pressures on the healthcare system resulting from an intolerable medical liability environment for physicians and hospitals. The study, was supported by the Project on Medical Liability in

Pennsylvania funded by the Pew Charitable Trust, and looked at CAT fund data from 1993 thru 2002, with the end point of the study now being approximately 5 years ago.

Pennsylvania Orthopaedic Society (POS) President Charles D. “Chip” Hummer, III, M.D. noted that the study provides a snapshot of the crisis which led to important medical liability reforms and the creation of the state’s Mcare Abatement program to help stabilize the physician population. Additional studies reviewing more recent data suggest that Pennsylvania’s current specialty physician population is not sufficient to address the growing patient population.

The Health Affairs published study showed:

- The supply of obstetricians-gynecologists decreased by 8 percent in the three years following premium increases in 1999; and,
- More than 11 percent of all high-risk specialists curtailed their practice during the study period limiting the procedures they performed to minor surgeries or no surgeries at all.

Further the study reported, “the impact of the crisis on physicians was considerable, in terms of costs, anxiety and disillusionment with the practice of medicine.”

“It’s five years later and more needs to be done to protect patient access to specialty medical care. The disingenuous remarks from groups which oppose medical liability reforms should not prevent policymakers from addressing the real problems of recruiting and retaining specialty surgeons to serve Pennsylvania’s growing patient population,” Hummer said. “Pennsylvania’s out-of-balance medical liability system and

low reimbursement environment mean patients are the losers in the race to attract and retain high quality specialty surgeons for our communities.”

Hummer noted that one of the main authors of the study, William M. Sage, M.D. J.D. said in 2005 that he found many physicians are very troubled by the medical liability system and treat patients differently as a result. At that time, he also recommended additional reforms to Pennsylvania’s medical liability system to be enacted even if the crisis appears to end.

POS is a professional medical specialty organization representing more than 900 orthopaedic surgeons across Pennsylvania in advocating for excellence in the practice of orthopaedic medicine. For more information on the importance of bone, joint and muscle health at every age, visit the POS website at www.paorthosociety.org.

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