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The Truth About Tort Reform Law

A paper posted on the American Bar Association website discusses the “Five Myths of Medical Malpractice.” The authors say there are two benefits from tort reform law: fewer lawsuits filed and lower payouts. But here’s the surprise: the quality of health care decreased, the number of practicing physicians stayed the same, and the cost of health care services increased. The authors, both attorneys, advise patient-safety initiatives to reduce the frequency and severity of medical mistakes rather than passing tort reform laws.

Yet today’s health care system is fracturing the patient-doctor relationship, limiting time with patients, imposing a convoluted computerized medical record, and focusing on paperwork -- assuring more mistakes and lawsuits, not less.


“The Poor State of Health Care Quality in the U.S.: is Malpractice Liability Part of the Problem or Part of the Solution?” David A. Hyman and Charles Silver, Law and Econ Research Paper No. 038, University of Texas Law, March 28, 2004


Presented daily by Twila Brase, President, Citizens’ Council for Health Freedom.

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