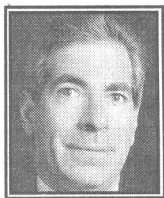


Lawyers not at fault for health care ills



DR. MARK Schiowitz's recent letter to the editor (The Times Leader, May 27) trots out yet another

claim of a doctor shortage and rehashes the same-old, tired, anti-lawyer rhetoric, seeking to deflect attention away from the ills of the American health-care system and the greed of the insurance industry.

Before we fault patients for seeking justice in the courts when things go horribly wrong in the hospital, let's look at some facts:

FACT: The number of licensed physicians in Pennsylvania has increased every year since 1996, according to figures compiled annually by the American Medical Association. There are no AMA figures available by region and specialty.

FACT: Any impending shortage of doctors is self-inflicted and nationwide, not just in Northeastern Pennsylvania, according to a Feb. 26 article in USA Today titled "Shortage of Surgeons Pinches U.S. Hospitals." In response to organized medicine's predictions of a surplus of physicians, the nation's medical schools capped enrollments in the 1980s and 1990s. By the time the schools realized the predictions were wrong, the nation was facing a "perfect storm" of doctors and baby boomers simultaneously reac-

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hing retirement age.

FACT: The number of serious medical errors far outpaces the number of lawsuits. In 2007 our state's hospitals reported nearly 7,300 "serious events" resulting in injury or death to patients to the Pennsylvania Patient Safety Authority. That same year, there were only slightly more than 1,600 medical malpractice lawsuits filed in the state.

FACT: While the number of documented errors in Pennsylvania hospitals continues to rise, the number of medical malpractice suits filed in the state has plummeted more than 40 percent during the past five years. Last year in Luzerne County, there were only two jury verdicts in favor of injured patients and their families. In Lackawanna County, there were none. More than two-thirds of Pennsylvania's counties had either no suits filed or no verdicts rendered in favor of plaintiffs.

FACT: In 2006, the U.S. property-casualty insurance industry – the same insurers that cover doctors and hospitals – boasted record-breaking profits of \$60 billion. (The insurance industry works hard to keep doctors scared of litigation and patients afraid of losing their doctors. This fear allows them to keep

rates high and deflect criticism.)

FACT: During the past six years the state's taxpayers shelled out more than \$1 billion to subsidize the insurance premiums of many of the state's doctors and surgeons – the same doctors and surgeons who, according to U.S. Census data, are the highest-paid professionals in the state.

Contrary to Schiowitz's assertions, Gov. Ed Rendell has offered a sensible proposal that would use a surplus from the MCARE Fund – a surplus created by the continuing drop in lawsuits – to provide insurance to uninsured Pennsylvanians while subsidizing doctors' insurance premiums. That's a win-win for the doctors. Not only does the state pay their insurance costs, but doctors get paid for providing services to patients who otherwise would be uninsured.

However, for personal and political reasons, the medical lobby continues to point the finger at injured patients, the lawyers who represent them, and elected officials who fight to preserve their legal rights. The facts clearly show that doctors have misdiagnosed the problem and prescribed the wrong medicine. The needed tonic is equal parts patient safety reform and aggressive insurance industry oversight.

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