

Pennsylvania Citizen Action

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TO: The Members of the House Judiciary Committee

FROM: Tom Gluck, Assistant Executive Director

RE: OPPOSE HOUSE BILL 1105

Fortunately, there are close to a half-million good doctors in the United States. Unfortunately, there are as many as 53,000 doctors who are incompetent.

What is so frightening about medical malpractice is that everyone is a potential victim. Each of us will visit an emergency room, or give birth, or become ill at some point in our lives.

Incompetent doctors cost money as well as lives, pushing up medical malpractice premiums and thus, doctor fees. Fortunately, it is a relatively small number of incompetent doctors that are causing trouble: according to a study done in 1985, 1% of doctors in Pennsylvania are responsible for over 25% of claims payments from the CAT Fund.

The failure to adequately discipline doctors in the Commonwealth threatens not only patient's lives, but also increases the liability for other doctors and hospitals who must work with physicians who may not be competent.

Finding out just which doctors are unqualified is extremely difficult. Patients who have won malpractice claims are often barred from disclosing any circumstances of the incident.

Rather than addressing the serious issues of disciplining incompetent and negligent doctors and devising a fairer malpractice insurance system, the Pennsylvania Medical Society and malpractice insurers are concerned only with their bottom line -- profits. The medical industry has done a very poor job in identifying and punishing inept doctors. Mistakes and lack of enforcement and discipline by a few physicians have resulted in the high medical malpractice insurance.

The 110,000 members of Pennsylvania Citizen Action oppose House Bill 1105 because it is unfair to the victims of medical malpractice. This legislation restricts individual rights, makes irresponsible doctors and hospitals less accountable for their actions, and shifts the costs onto victims, employers and taxpayers.