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Neither Patients or Physicians Benefit from One-Sided Medical Liability Bill

A bill passed in the final hours of the 2017 legislative session is now sitting on Governor Cuomo's desk that could result in major increases in malpractice costs for the physicians of New York. This bill would do nothing to improve the ability of New Yorkers to access high-quality health care or improve outcomes. In fact, if passed, at the very least it will drive physicians out of New York and create a barrier to new physicians choosing to practice here.

This one-sided bill will increase the number of lawsuits and costs against the healthcare system without enacting any counterbalancing measures to bring these costs down. The problem is that this bill was hastily written in the final hours of the legislative session, and the ambiguous language of this bill will result in a much larger scope of litigation than intended by legislators. If signed by Governor Cuomo, this law could increase malpractice premiums by 15%!

While this may not sound colossal, to put into perspective how bad malpractice is in New York, here are some facts; New York pays out almost double in malpractice awards than the next nearest state, over \$711 million dollars. In New York, our malpractice premiums are some of the highest in the country. It is no wonder why New York is consistently rated as one of the worst states for physicians, and why physicians are leaving our state. In fact in 2016, Forbes magazine ranked New York as the second worst state in the US for practicing medicine.

This bill will drive physicians out of practice who cannot afford these higher premiums and will exacerbate the problem of physicians choosing other states to practice. Without additional physicians in our community, it will be more difficult for you to find a physician in a location convenient for you and to be seen as quickly as possible. This community cannot afford to lose any more physicians.

You have to ask yourself who benefits in this scenario. It is certainly not physicians. It is certainly not patients. Governor Cuomo must veto this bill and bring everyone together to agree to a fair resolution. New York State doesn't need more laws that drive physicians out. It needs real reform that will reduce costs, improve outcomes, and increase access to high-quality medicine that we all benefit from. Monroe County Medical Society will continue to advocate for reform that benefits both patient and doctor alike. We hope you will join us in this effort.

Peter Ronchetti, MD
President
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