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home : news : news : top stories

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- Place an Ad **NEW**
- Search ads
- nepajobfinder.com
- Find a job
- Post a resume
- NEPCARFINDER.COM**
- Car Ads
- Local Dealers

News

- Community News
- Obituaries
- Business
- Town Crier
- Features
- Entertainment
- Social
- School news
- National News
- Weather
- NEPA News
- Today's Print Ads
- Home Rule Charter

Local Sports

- Local Sports
- Red Barons
- Penguins
- more...

National Sports

- Baseball
- Football
- Basketball
- more...

Opinion

- Opinion
- Editorials
- Letters to the Editor

Columnists

- Steve Bennett
- Jonathan Bombulie
- Matt Engel
- more...

Classifieds

- Classifieds Overview
- Place an Ad
- Classifieds Home
- more...

Focus on fix for malpractice, not numbers game

05/16/2004

Legislators are accusing doctors of deliberately misleading lawmakers and the public.

For the past three years, the Pennsylvania Medical Society has claimed that doctors are leaving the state in droves.

The society promoted a list of "disappearing doctors" and ran ads saying, "Will the last doctor in Pennsylvania please turn out the light." But new information shows that these claims are not in line with actual statistics, and that the number of physicians in Pennsylvania may actually be increasing.

State legislators, who recently awarded the doctors \$230 million in relief on their malpractice insurance premiums, are demanding answers regarding the discrepancy.

Last month, PMS chairman Daniel Glunk testified before the House Insurance Committee that there is no statistical data to support the society's claims of a mass exodus of doctors. In fact, Glunk admitted, "Some data sources show an 800-doctor gain."

Glunk's confession drew the ire of legislators, Democrat and Republican alike, who were upset by what some called misleading scare tactics.

The testimony came a few days after the Allentown Morning Call reported that new state Insurance Department figures show the number of doctors in the state has not declined, and may have increased, since 2002.

As a result of the numbers dispute, Democratic House leaders have called for a moratorium on further medical malpractice reforms until it could be determined whether doctors are leaving, and whether the PMS deliberately misled the Legislature.

After malpractice insurance rates began to skyrocket several years ago, physicians demanded that legislators place a cap on non-economic jury awards, a move that would hurt malpractice victims who are not wage-earners.



Business Directory

Directory Overview
Advertisers Index
All Categories
more...

Lifestyles

Lifestyles
Health and Fitness
Senior Living
more...

Consumer Guide

Consumer Feedback

Personal Finance

Top Finance News
Reports and Articles
Education
more...

Community

Community Calendar
Community Websites
Weather
more...

Fun and Games

Fun And Games
Horoscopes
Crosswords
more...

Links

For Seniors
For Teens
Health
more...

About Us

Contact Us
My Zwire
Promotions

Premiere Businesses

Premiere Businesses
Home Improvement
Children & Family
more...

But so far, there is no evidence that the high insurance rates were directly caused by jury awards, and insurance rates, as well as the number of suits being filed, finally seem to be on the decline. In the meantime, the state's malpractice insurers remain largely unregulated and are permitted to adjust their rates with little oversight. Unfortunately, the physicians groups became so focused on caps, they may have taken their public relations spin a little too far. Now there is a holdup to finding real reform. The Legislature passed several measures that reduced the number of malpractice suits filed last year. Through surcharges on tobacco and traffic violation fines, doctors have also received \$230 million in aid from the state. While there is clearly a problem with malpractice insurance rates in Pennsylvania, the public relations wars are only slowing down the search for a solution.

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Back to top 



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