

SAMPLE LETTER TO THE EDITOR
ON MEDICAL MALPRACTICE
FOR BAR LEADERS

In the debate over why doctors' malpractice insurance premiums have risen so sharply, rhetoric has unfortunately triumphed over analysis. We constantly hear that capping jury awards in malpractice cases would solve a cornucopia of our nation's ills.

Beware, however, the lure of red herrings and scapegoats. Put plainly, these claims cannot be supported by the facts. In fact, caps have already been proven ineffective. States that have enacted them have not seen medical malpractice insurance premiums fall, even as insurers have enjoyed a slowdown in their payouts.

Caps do, however, hurt people who have been seriously harmed by a negligent caregiver, like the man recently paralyzed during a botched operation for a brain cyst he didn't have.

Our nation needs to get serious about fixing our health care system, but the back and forth of electoral campaigns is not the time or the place to do so.