

FACT SHEET

The Tall Tale of Texas Tort Reform

Myth

Tort reform has brought doctors to underserved areas of Texas.

Fact: Prior to Proposition 12's passage in 2003, 152 counties had no obstetrician. Four years later the number remained the same. Forty-nine percent of counties had no obstetrician, neurosurgeon or orthopedic surgeon, and a number of counties had no physicians.

(The Texas Observer, "Baby, I Lied," Oct. 19, 2007)

Myth

The number of doctors in Texas was dwindling prior to passing tort reform.

Fact: From 1997-2003, the average annual rate of increase of medical licensees in Texas was 3.5 percent.

(Texas Watch, "The False Choice: Doctors or Accountability," Feb. 2007)

Myth

Tort reform reduced malpractice premiums in Texas.

Fact: Three years after Proposition 12 passed, premiums had fallen by 13.5 percent after increases of as much as 147 percent.

(Texas Watch, "The False Choice: Doctors or Accountability," Feb. 2007)

Myth

Doctors and insurance companies paid out huge sums in malpractice lawsuits.

Fact: From 2000-04, fewer than one-third of medical malpractice claims that resulted in a payout were for more than \$250,000.

Fact: Sixty-one percent of malpractice claims that resulted in a payout were for less than \$250,000.

Fact: Fewer than 5 percent of claims resulted in a verdict. The vast majority were settled after a lawsuit was filed but before a reaching a verdict or judgment.

(Bureau of Justice Statistics, "Medical Malpractice Insurance Claims in Seven States, 2000-2004," March 2007)

THE OK FOUNDATION FOR CONSUMER & PATIENT RIGHTS

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About the Oklahoma Foundation for Consumer & Patient Rights

The Foundation is a nonprofit consumer and patient advocacy organization whose mission is to produce and disseminate timely and informative analysis and information on public policy issues that impact consumer and patient safety. For more information on the Oklahoma Foundation for Consumer & Patient Rights, please call 800-994-6025 or visit www.okccps.org.