

Texas tort reform not so alluring

The allure of Texas to tort reform backers is unmistakable. It also has proved a red herring. You've probably read about how Proposition 12, Texas' 10-gallon tort reform, has rejuvenated our neighbor's health care system and made the state a haven for well-intentioned doctors fleeing runaway juries.

Too bad things aren't that simple. Nothing gets in the way of a good tale like the truth.

"Five years later, the (\$250,000) cap is being credited for slashing liability insurance premiums, boosting the ranks of doctors in the state, and improving medical access to patients," the American Medical Association crowed last month (See "5 years of tort reform: Lone Star success story," *American Medical News*, Sept. 15, 2008).



Jeff Raymond

Guest Opinion

Yes, tort reform has brought doctors to Texas. They just haven't flocked to areas that need them most, undercutting what was perhaps supporters' strongest argument in favor of passing the constitutional amendment.

The Texas Observer chronicled the influx of doctors (See "Baby, I Lied," Oct. 19, 2007) and made some disturbing findings.

Prior to Proposition 12's passage 152 counties had no obstetrician. Four years later the number remained the same. Moreover, 49 percent of Texas counties had no obstetrician, neurosurgeon or orthopedic surgeon, and a

number of counties had no physicians. "Proposition 12, and the far-reaching changes in Texas civil law that it dragged behind it, was built on a foundation of mistruths and sketchy assumptions. The number of doctors in the state was not falling, it was steadily rising," the newspaper reported, citing Texas Medical Board data. "There was little statistical evidence showing that frivolous lawsuits were a significant force driving increases in malpractice premiums.

"The campaign's promise, that tort reform would cause doctors to begin returning to the state's sparsely populated regions, has now been tested for four years. It has not proven to be true," the newspaper concluded.

A study in the recent issue of *Health Affairs* examined county-by-county data to determine how often doctors move, where they go and why they go there (See "The Diffusion Of Physicians," September/October 2008).

"The overall tendency of movers was to go to places with lower physician-to-population ratios but higher per capita incomes and lower unemployment," the authors wrote. "These trends, if they continue, may help decrease access to physician care in rural and urban underserved areas."

Doctors, it turns out, move for many of the same reasons the rest of us move and choose many of the same places.

However, the most important factor in where physicians choose to practice, the authors found, is residency location.

Research shows Oklahoma doesn't have a shortage of doctors, either.

The Journal Record newspaper (See "Is Oklahoma losing doctors?" April 3, 2008) found 4,787 medical doctors and 880 medical and osteopathic physicians, respectively, practiced in the state in 1997. By 2007 the numbers had risen to 5,718 and 1,324, respectively.

Oklahoma's mid-2007 population estimate was 3,617,316, Census data show. Its mid-1997 population estimate was 3,372,900. This is a 7 percent increase.

The state's doctor population grew by 24 percent during the same decade.

If improving access to health care is the goal, tort reform has failed to live up to its promise in the Lone Star State. That's one distinction we should let Texas keep.

JEFF RAYMOND is executive director of the Oklahoma Foundation for Consumer & Patient Rights.

Values should be taught at home

Due to my deadline, I cannot comment on the results of the election. I'll indulge in a bit of prophecy in saying that by Wednesday, we'll be in the midst of several legal challenges of the polls in battleground states and that the election will not be certified for awhile yet. We'll enjoy our usual peace and tranquility here in Oklahoma, (the best kept secret in the USA), and the Republicans will have won most of the local and state elections.

In the meantime, I am musing on the local state of education. Edmond is a conservative town generally, but the impression I have from my children and their friends is that the schools (North High School and Sequoyah Middle School in my case) tend to be more liberal.

It is impossible for a teacher to function and never display certain values. If a teacher values honesty, he'll enforce strict rules and safeguards against cheating, but he'll also be truthful when he loses a child's work. If he values hard work, he'll have high standards of performance and work hard himself to help his students meet those standards. Students are smart and they usually read signs and signals pretty well.



Beth Stephenson

Edmond Musings

Interestingly, terrorist Timothy McVey claimed that his motive for bombing the Alfred P. Murrah Federal Building was because of the U.S. government's extreme intolerance of the Branch Davidians in Waco, Texas, where a cult was apparently living harmlessly in a compound. Though Janet Reno claimed that she heard they were stockpiling weapons, moving in with tanks and incendiary guns and burning the inhabitants alive was pretty intolerant, also. It strikes me that it gets very sticky when you try to teach a core value like tolerance.

How do you teach a child where the line is between Christian love and intolerable evil in a classroom? Should we tolerate Nazis as well as Black Panthers? How do you teach them when it's time to stand up for truth and right and not tolerate evil? A hero that says, "I will not tolerate your mistreatment of another human being," or "I will not tolerate your stealing," or "I'll call the cops if I find out you have illegal drugs," earns our honor. I think they undertake the impossible. Values,

good or bad, are taught in the home.

Another attempt to purloin parents' rights and responsibilities is in teaching sex ed. Though most programs claim to be "abstinence based," if a child comes from a sexually promiscuous home, the teacher saying, "No, no!" will not deter them from those behaviors. If a child is taught that sex is sacred and to be used only in marriage, and the parents' behavior supports that principle, the child most likely will choose to wait until marriage.

A few years back, I saw a study of the D.A.R.E. (anti-drug) program administered in the schools across the U.S. The programs are generally taught by police officers, but surprisingly, they found no measureable positive effect in the schools where D.A.R.E. was used. In fact the study suggested that teaching about drugs served to tweak students' curiosity about things they had never considered before.

In another instance (in Colorado), my children saw a middle school teacher come out of a department store, unload her cart into her trunk, and shove the empty cart down the parking lot into the door of a parked car. The cart did significant damage, but the teacher drove away without a backward glance.

My older son recently told me that one of his teachers had been out of town the week before lecturing in another state on how to treat gay and lesbian students appropriately. When students use "gay" as an insult or to imply something bad, she corrects them mournfully saying the term ought not to be used in a derogatory way. She wears rainbows on her clothing and the students have drawn certain conclusions from those signs. Her students recognize the cause she espouses, but she'll cross the line of appropriateness if she attempts to contradict their personal values. The fact that an adult has chosen the profession of teaching doesn't qualify them to instill values in children.

By the same token, I expect my children to treat their teachers respectfully, to abide by the rules of their classrooms and to do their work promptly to the best of their abilities. I think it is interesting that they often report enjoying and appreciating teachers whose values they don't share at all. They care how they are treated far more than what the teacher does when she's not at school.

Public school teachers will show their values as they interact with students, but I believe it is incorrect to make the teaching of values, other than that of abiding the laws of the community that employs them, part of the curriculum. Whether parents like it or not, values are learned at home through observation and lifestyle more than anything else.

BETH STEPHENSON is an Edmond resident.

SUN SPOTS

SHARING YOUR THOUGHTS WITH OUR READERS

QUESTION:

What do you want to be when you grow up?

Question asked at Hafer Park.



'A mom.'
Madison Welch, 14
Oklahoma City



'A mom of 5 kids in California, married to an actor and working as an actress.'
Erin Ungerechts, 15
Oklahoma City



'A marine biologist.'
Kelsey Anderson, 14
Edmond



'A fireman.'
Elias Buzan, 3
Edmond



'A fireman.'
Anthony Bourne, 4
Davenport



'A hulk.'
Christian Johnson, 4
Edmond

Have a question you'd like us to ask?

Submit your question to: news@edmondsun.com and we will give you credit.



TODAY'S VERSE
A SELECTION

"His mercy is
upon generation after
generation toward
those who fear Him."

Luke 1:50