MEDICAL ERRORS AND PATIENT SAFETY

An Epidemic of Medical Errors.

> *"For every dollar that was spent in the health care system, about 18 to 45 cents of that dollar went to hurting someone."* [1]

- ✓ The Michigan Health and Hospital Association estimates that a patient safety reform would result in a 40 percent reduction in "Hospital Acquired Conditions" [HAC]; 1,800,000 fewer preventable injuries to patients from a current total of about 4,000,000 annual HACs. [i]
- ✓ 1 in 3 hospital patients are affected by medical errors.
- ✓ Medical errors 10 times more frequent than previously estimated. [ii]
- ✓ 86% of medical errors that result in "harm done to patients" are never reported.
- ✓ Over half of US doctors admit to not reporting medical errors or incompetence.
- ✓ 1 in 7 Medicare patients were harmed or killed by their medical care. [iii]
- ✓ There are 15,000,000 incidents of medical harm each year in the US.

Based on the NCPA estimates **approximately 6,000 Michigan residents die from preventable medical errors each year.** Approximately 10 times that many [60,000] are seriously injured by preventable medical errors. **The cost of these Michigan injuries and deaths is between $12 billion and $28 billion each year.**

Michigan's Failed Effort. Studies of the looming medical malpractice crisis in the 1980s recommended a 3-prong solution:1) Medical Safety Reform; 2) Insurance Reform, and: 2) Tort Reform. Michigan ignored the first two and focused only on the last. While medical errors skyrocketed Michigan became "the most tort reformed state."

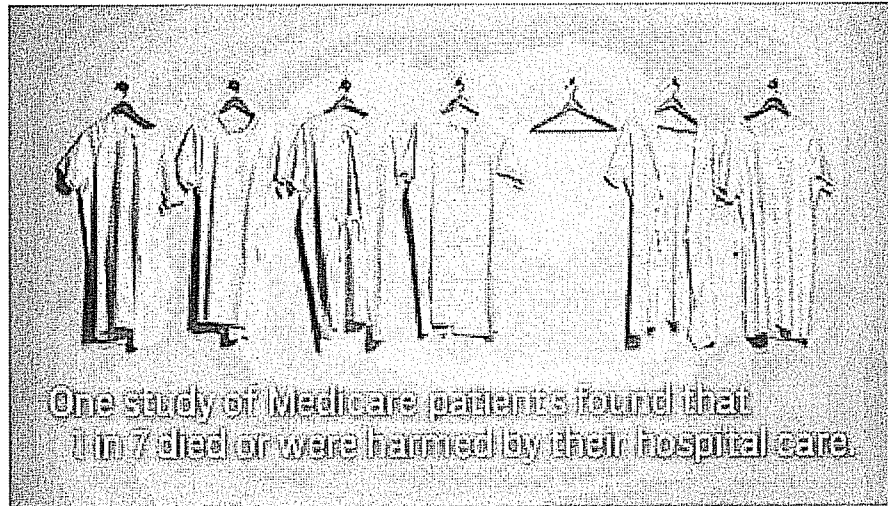|		
1986- Caps on Noneconomic Damages;	Qualifications for Expert Witnesses;	Requirement;
1986 - Affidavit of Merit;	1986 -Collateral Source Rule;	1993 -Threshold for Proximate Cause/ No
1986 -Mandatory Mediation/Loser Pays;	1986 -Joint and Several Liability;	Recovery for Lost Opportunity to Survive
1986- Sanctions for so-called 'frivolous'	1993 Two Year Statute of Limitation for	under 50%;
lawsuits;	Minors;	1994 -"Caps" on Noneconomic Damages;
1986 -Codification of Specific	1993 -182 Day Detailed Notice	Punitive Damages Not Available

FAILURE: Tort reform did not reduce medical errors. *Tort reform cannot solve these problems and only makes them worse.*

The Real Solution: *Reducing Medical Errors.*

The University of Michigan, the Michigan Health and Hospital Association, the U.S. Health and Human Services Department, the American College of Obstetricians and Gynecologists, and others who focus on patient safety report that **medical errors themselves are the cause of the medical malpractice crisis and these patient safety reforms are the effective solution.**
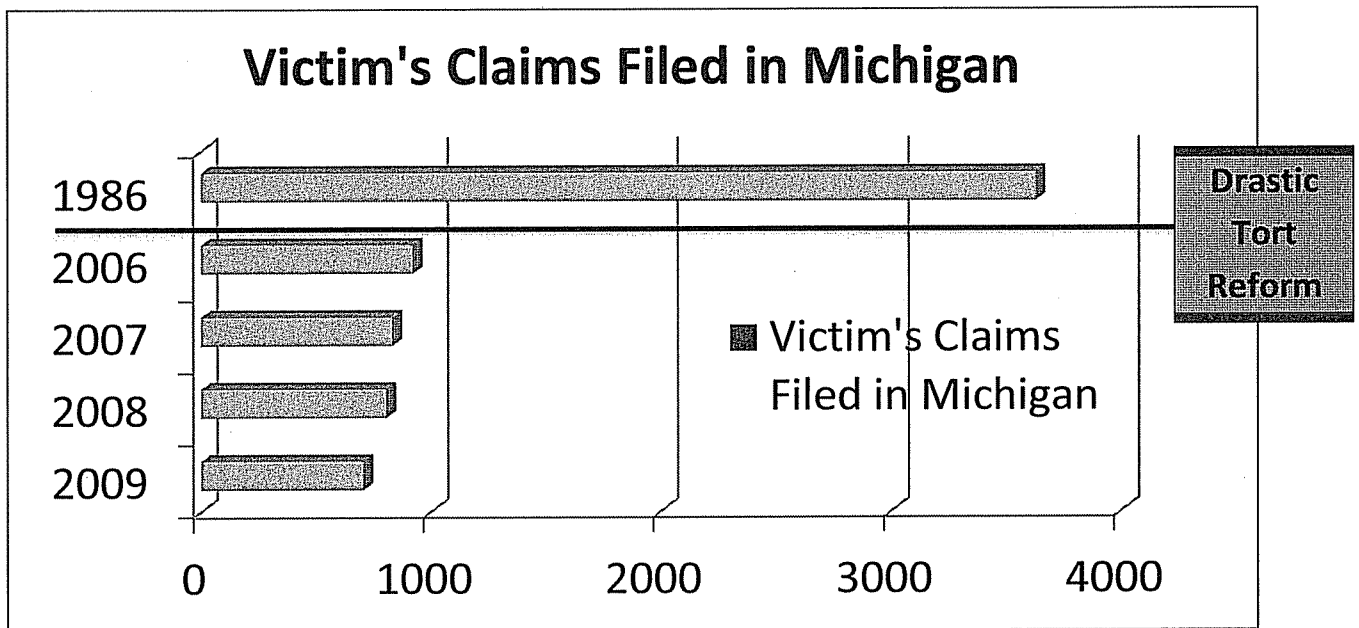
- ✓ **Honesty and transparency**
- ✓ **Mandatory reporting**
- ✓ **Error-reduction policies**

- ✓ **Tracking and discipline for the few 'bad apple' doctors [6%] who cause most medical errors [67%].**
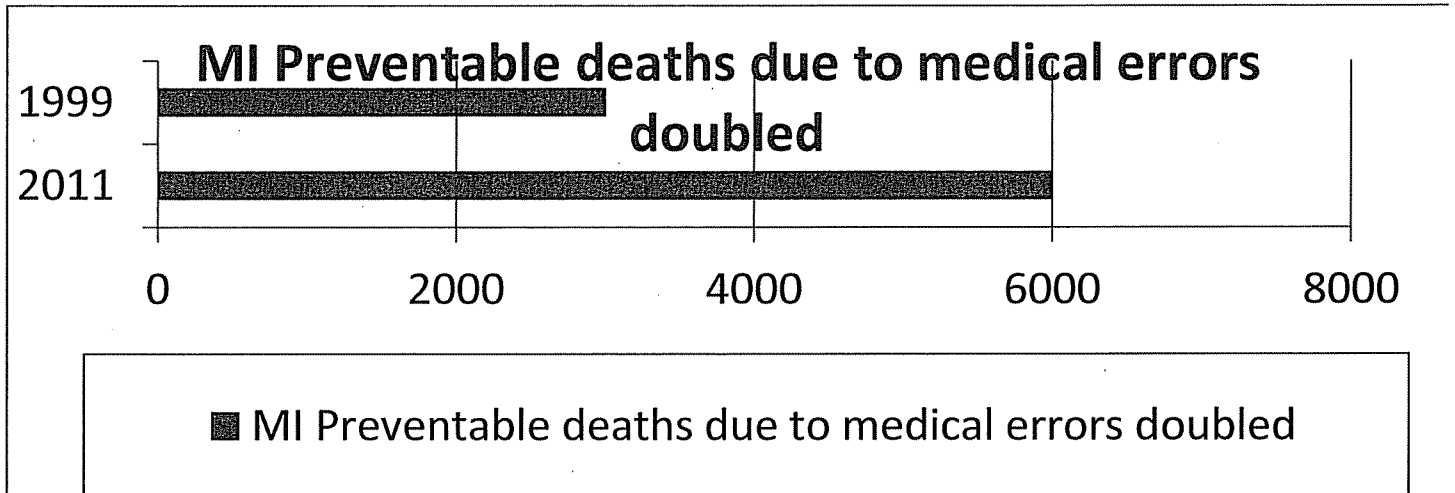- ✓ **Disincentives for medical errors.**

US Health and Human Services/Graphic from AARP Bulletin.

- A small minority of 'rogue' bad doctors cause the majority of medical malpractice
- A mere 6% of doctors are responsible for over 67% of medical malpractice.
- The small minority of doctors who repeatedly commit serious malpractice have often had multiple problems in the past that were ignored by the Medical Board.
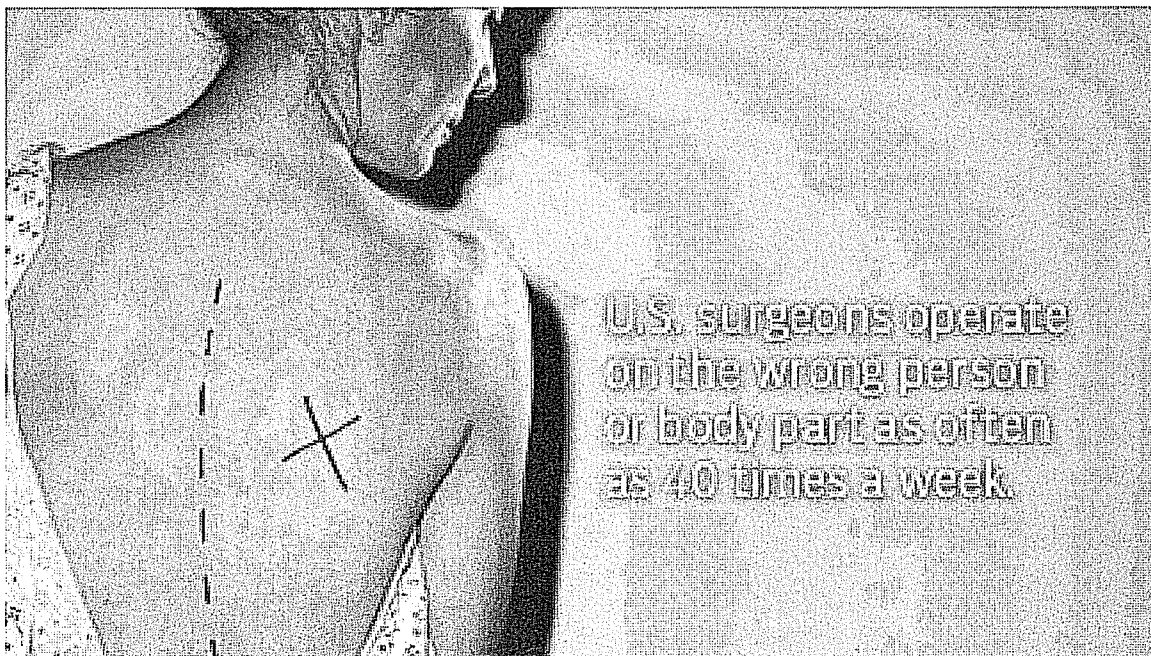

Victim's Claims Filed in Michigan

Year	
1986	
2006	
2007	
2008	
2009	

Victim's Claims Filed in Michigan

Drastic Tort Reform

0   1000   2000   3000   4000

guarentee

MI Preventable deaths due to medical errors doubled

	0	2000	4000	6000	8000
1999					
2011					

■ MI Preventable deaths due to medical errors doubled

From National Center for Policy Analysis.

U.S. surgeons operate on the wrong person or body part as often as 40 times a week.

US Health and Human Services/Graphic from AARP Bulletin.

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[i] Michigan Hospitals Efforts to Cut Patient Injuries Are Paying Off" March 6, 2012, based on numbers from the US Dept. of Health and Human Services and the MHA Keystone center.

[ii] "Medical Errors Occur 10 Times More Than Previously Thought; Study finds mistakes affect 1 in 3 hospital patients" –AARP Bulletin, April 2011; --Health Affairs "Patient Safety"

[iii] From: "Hospitals May Be The Worst Place To Stay When You Are Sick" AARP Bulletin, March 2012