

Major study finds that making hospitals safer for patients reduces medical malpractice claims.

It makes common sense that if hospitals make fewer medical mistakes they will be subject to fewer medical malpractice claims. The RAND Corporation's Institute for Civil Justice has issued a major study that documents that this is indeed true.

To produce *Is Better Patient Safety Associated with Less Malpractice Activity? Evidence from California*,¹ researchers analyzed more than 365,000 medical "adverse events" in hospitals and 27,000 medical malpractice claims. Twenty different event categories, such as "transfusion reaction," "accidental puncture or laceration" and "obstetric trauma," were analyzed.

RAND researchers found "a highly significant correlation between the frequency of adverse events and malpractice claims..." Specifically, they found, **"On average, a county that shows a decrease of 10 adverse events in a given year would also see a decrease of 3.7 malpractice claims."** These results make it clear that New York's hospitals would achieve large medical malpractice cost savings by improving patient safety.

New York's hospitals have a long way to go:

The annual HealthGrades *Patient Safety in American Hospitals Study* for both 2010 and 2011 **ranked New York as one of the ten "worst" states for hospital patient safety.** The rankings are based on hospital risk-adjusted performance on 13 key U.S. Agency for Healthcare Research and Quality patient safety indicators.

In 2010, the U.S. Agency for Healthcare Review and Quality reported in its annual National Healthcare Quality Report that **New York State's "hospital care quality" is "weak."** (The five quality categories are very weak, weak, average, strong and very strong.) AHRQ compared how well hospitals nationwide performed on 31 measures such as "angioplasty deaths in hospital" and "post-operative sepsis per 1,000 elective-surgery discharges."

It is unfortunate that the hospital industry's prescription for lower medical malpractice insurance costs continues to be "tort reform" measures that would deny many medical malpractice victims reasonable compensation for their injuries – **yet do nothing to improve patient safety.**

¹ Michael D. Greenberg, Amelia M. Haviland, J. Scott Ashwood, Regan Main, *Is Better Patient Safety Associated with Less Malpractice Activity? Evidence from California*, RAND Corporation, 2010.