

The Chance is at Hand

We are early in the new year and this is a year which could make a great difference in the practice of medicine. We have all suffered under the threat of liability suits. We have seen malpractice suits take valuable time from patient care, cost thousands of dollars to defend, break up partnerships and ruin lives. The trial attorneys will say it is to protect the public, but we know it to only enhance their fortunes. It is not their intention to change practice patterns or eliminate poor physicians nor is that the result of lawsuits. The physicians sued are often those caring for the most serious cases or doing the most complex procedures. The Arizona Medical Board does more than an adequate job of policing the profession.

At a recent meeting I sat next to a pulmonologist. He had been sued and badly damaged because he was asked to assist in an emergency situation. The outcome was in his favor, but the cost was his marriage, financial situation and mentality. He is a different doctor now and society is worse off. My father stopped practice because of a similar misguided suit. He was on his hospital rounds when an infant with croup was brought to the emergency room. No one could intubate the child, so they called for his help. Days later in the ICU the tube obstructed, the child died, and a lawsuit was filed naming all the physicians involved in the case. When the court, many months later, decided he had actually saved the child's life rather than lost it, the town lost a critical physician.

Now a chance for great improvement is at hand. The House has passed and the President supports medical liability reform. It is stalled in the Senate no doubt by friends of the trial lawyers. They do have great influence, however an activated medical community could overwhelm their efforts. We have never really moved together but this is the chance for our leaders and colleagues to act. We need to identify those Senators in opposition and strongly urge them to correct this crisis.

If they continue to obstruct reform of this insane system, we need to act personally and financially to defeat these Senators regardless of what state they represent. We will identify the key Senators in upcoming issues and keep you abreast of the status of the legislation. No doubt the most important Senator is Tom Daschle (D-SD). He is in a tight fight for re-election and we should start with him. He is the Senate Majority Leader preventing the bill from coming to a vote and is opposed by John Thune (R-SD) for re-election.

I call on the AMA and all state and local societies to stand up now and send the message that we have had it and we are ready to act.

See you next month.

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President