

CRISIS RALLY!

The hour is here for all in the medical profession to stand and defend our patients and practices. All the work done in Arizona will take focus at our Medical Liability Insurance Crisis Rally to be held on October 21, 2004. We will meet at the Phoenix Civic Plaza at 7:00 p.m. to highlight the issue. The goal of the rally is to alert practitioners as well as the public of the serious nature of the problem. We also hope to effect the election of candidates at the state and federal level who understand the issue and have pledged to fix it. The Medical Society and ArMA have endorsed a slate of candidates in the September issue of Round-up.

My focus has been at the federal level where a major improvement could be accomplished by the passage of a bill (House Resolution 5) which caps non-economic damages at \$250,000. Similar legislation passed in California years ago has stabilized medical liability insurance rates and availability. I recently visited a busy radiologist in Monterey who pays only \$7,000 annually for insurance. The bill has passed the House but is being held up by a filibuster in the Senate. If well attended, our rally may attract national attention because medical costs and accessibility are a major issue in the election next month. A physician's inability to obtain or afford liability insurance clearly affects patient access to care and defensive medicine is a major factor in wasted medical costs.

President Bush said recently that he has studied the problem and strongly supports this bill and tort reform. He also stated that his opponent studied the problem and put him on the ticket. Senator Edwards is a malpractice lawyer who made millions off of very questionable lawsuits (i.e. suits against ob/gyns for cerebral palsy and psychiatrists for patient suicides). To expect the Kerry-Edwards administration to fix the crisis is like asking a crocodile for a ride out of a dangerous swamp. Doctors for Medical Liability Reform (DMLR – www.protectpatientsnow.org) are concentrating on several key Senate elections supporting candidates who will pass the bill. I encourage you to support their campaign. I have been working to support John Thune for Senate in South Dakota against Senator Thomas Daschle. Senator Daschle has lead the filibuster against this bill and I am happy to report that currently this race is dead even. Even when your opposition looks like Napoleon's army, if you knock off the leader it will get the attention of his followers. Maybe they will decide to fix this problem before it gets worse.

Please come to this critical rally on Thursday, October 21. Some doctors have indicated that they are not yet affected significantly by this crisis, but we are all affected because we want medical services available for our families and patients. We also care about the profession and know the impact of a lawsuit on our colleagues. Some may retire or restrict high risk services, while all lose enthusiasm for the practice of medicine, which is what the public sorely needs. The malpractice lawyers feel it is simply a matter of an insurance claim like auto accidents and not personal. However, as someone who saw his father quit practice over an inappropriate suit, I know they take much more of a toll.

Senator Jon Kyl will be our featured guest at the rally as well as key legislative leaders. We will hear from physician groups seriously affected and have comments from the floor. Hopefully the legislature and the press will come to understand that this is an important issue for our state and

its potential adverse affects on all of us. We will need their understanding of the issue because even if the federal legislation passes, we will need state attention such as periodic payments, etc.

So come to the Medical Society rally and let your voices be heard! It matters not your political persuasion, if medicine is your priority we need you there.

See you next month!

Bryan R. Updegraff, M.D.
President