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ILLINOIS PHYSICIAN SURVEY SHOWS HUGE IMPACT OF LAWSUIT FEARS

Medical lawsuits in Illinois have decreased access to care for years. New survey results show physicians again being forced to reduce/eliminate high-risk services. Many are taking even more dramatic steps.

Chicago, Illinois — A new survey details the strong apprehension of many Illinois physicians over a worsening lawsuit climate, and the dramatic actions they are taking in response. The state's already precarious medical liability landscape sustained a further blow in February when the Illinois Supreme Court struck down comprehensive medical liability reforms enacted in 2005.

ISMS partnered with ISMIE Mutual Insurance Company in issuing the survey to approximately 7,500 Illinois physicians. More than 1,100 responded between June 21 and July 2. Most Illinois counties and a wide cross-section of medical specialties were represented.

Key findings include:

- Two thirds of Illinois physicians (66%) reported that they have personally reduced or eliminated high-risk services or procedures due to the medical liability threat.
- 82% of Illinois physicians reported that they view every patient as a liability risk.
- Nine out of ten Illinois physicians (89%) reported that liability concerns have caused them to order more tests than are medically needed, and one third (33%) of doctors indicate that they *always* order extra tests.

“These data highlight the desperate situation many Illinois physicians are facing,” said Illinois State Medical Society President Steven M. Malkin, MD. “All we want is to care for our patients according to their medical needs, but the constant threat of jackpot lawsuits makes it extremely difficult not to practice ‘defensive medicine.’ In this era of limited resources, money wasted on defensive medicine could be spent more wisely on providing care our patients actually need.”

“We experienced welcome relief in 2005 with the passage of a comprehensive liability reform law, but earlier this year the Illinois Supreme Court struck it down, putting us at serious risk of another lawsuit crisis,” added ISMIE Chairman Harold L. Jensen, MD. “Physicians are feeling more pressure than ever to avoid high risk procedures and to over-test patients for legal reasons rather than out of medical necessity. This situation is not sustainable, and the Supreme Court justices who voted against this vital law may face strong opposition at the polls this November.”

A summary of key survey findings can be found at www.isms.org and www.ismie.com.

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*ISMS is a professional membership association representing 12,000 physicians practicing in all medical specialties statewide.
Dr. Malkin is an internal medicine specialist from Buffalo Grove.*

*ISMIE Mutual Insurance Company is the largest insurer of medical liability for Illinois physicians.
Dr. Jensen is an internal medicine specialist from Frankfort.*