

# Prescriptions for Reform

*100 Billion Reasons to Reform Today's Medical Liability System*

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## ***A Message from America's Hospitals***

\$100 billion.

That's one estimate of how much money is spent on defensive medicine — care not expected to benefit the patient but provided to minimize the risk of a lawsuit. To help make health care more affordable and efficient, this is one area that needs urgent attention.

President Obama has called for demonstration projects, and we agree. But more must be done. If not, physicians will continue to close practices or move to states where reforms have taken place. The result? Some patients will lose access to care.

Physicians and nurses work hard to provide the right care at the right time. When things go wrong, people should be compensated. But today's system has run amok, with too much focus on jackpot cases and too little money getting to affected patients.

Instead, the legal environment should foster high-quality patient care. The respected Institute of Medicine agrees, and calls for a patient-centered and safety-focused system.

To achieve that, the AHA and others support a system in which decisions on compensation are made by trained, impartial adjudicators outside the regular tort system, based on whether injury was avoidable. These adjudicators would review the care provided and, if warranted, award compensation based on specific guidelines. Other alternatives to the current system could include protecting doctors and others from litigation if they were following clinical guidelines, and requiring a claim filed in court be validated by a medical professional.

Hospitals, physicians and others all must continue to improve the quality of health care. An alternative liability system should provide fair compensation to injured patients, while deterring unnecessary care and unsafe practices and systems.

This kind of positive change is a prescription for making care better and more affordable for all Americans, and now is the time to make it happen. To learn more visit: [www.aha.org/Prescriptions](http://www.aha.org/Prescriptions).



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