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MAG PRESIDENT APPLAUDS GEORGIA SUPREME COURT DECISION UPHOLDING TORT REFORM LAW AS “TRIUMPH” FOR PATIENTS

ATLANTA – Gary C. Richter, M.D., the president of the Medical Association of Georgia (MAG), is applauding today’s Georgia Supreme Court decision upholding a case (*Gliemmo v. Cousineau*) that challenged the 2005 tort reform law that requires plaintiffs in medical malpractice actions that arise out of the provision of emergency medical care to prove “by clear and convincing evidence that the physician acted with gross negligence” as a triumph for patients.

“The 2005 tort reform law has clearly provided increased peace of mind for our patients in Georgia when it comes to access to medical care,” Dr. Richter says. “This is especially true in rural parts of the state.”

Dr. Richter says the tort reform law created a more attractive practice environment, which translates into a more stable physician population. He points out that there are some 1,000 more physicians in Georgia since the tort reform law passed in 2005, according to a study of private practice physicians in the state by the Carl Vinson Institute of Government at the University of Georgia in Athens.

Dr. Richter also notes that the state’s high court is expected to rule on another critical case that’s related to the 2005 tort reform law in the next several weeks. He says *Nestlehutt v. Atlanta Oculoplastic Surgery* deals with a trial court decision that upheld the 2005 tort reform law that put a \$1 million limit on the “pain and suffering” damages that can be awarded during a medical liability lawsuit. Dr. Richter stressed that there is no such cap on “economic” damages (e.g., lost wages or medical expenses) in Georgia.

The Atlanta-based gastroenterologist concludes that, “It’s imperative that this law also be upheld to hold professional liability premiums in check and to reinforce critical health care needs like obstetrical and general surgery services in the state.”

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