Dear all:

Georgia is the battleground state for tort reform. Following the 2005 tort reforms that made Georgia a destination for physicians, the trial attorneys have slowly chipped away at those reforms.

Here is your new reality:

- Five of Georgia’s top 25 2018 verdicts were for med-mal – including $31 million for a case in Clayton County and $18 million for a case in Chatham County
- Georgia now ranks 9th in the U.S. for med-mal payment severity, and it is much higher than neighboring states
- The number of paid med-mal claims in Georgia have increased by 50 percent since 2016
- Georgia is ranked near the bottom (41st) in the U.S Chamber’s 2019 Lawsuit Climate Survey
- The average payout for Georgia medical liability cases reported to the NPDB increased from $476,000 in 2016 to $495,000 in 2018

What does this mean for Georgia physicians:

- Higher malpractice premiums that will continue for the next few years
- Any payouts above a physician’s policy limits could be borne by the physician putting your savings and retirement at risk
- Higher probability of being sued

How are your patient’s impacted:

- Access to care in a patient’s time of need with fewer physicians available

What can you do:

- Get to know your legislators and let them know the following solutions will improve the environment:
  - Promoting legislation that will eliminate “phantom damages,” which are based on how much a medical provider bills versus what they’re actually paid – something that can lead to much higher awards
  - Advocating for the modernization of Georgia’s ‘Civil Practice Act’ to improve and streamline the med-mal process such as scheduling orders for trials
  - Limiting the plaintiff attorney fees
• Join the fight against the trial attorneys by joining MAG –
  https://www.mag.org/georgia/Public/Membership/Join/Public/NewMemberApplication.aspx?hkey=248b4ec8-b337-4f25-bbc6-437846bbbc4a

• To learn more about the tort reform effort, please go to
  https://www.mag.org/georgia/Public/Resources/MAG_Tort_Reform_Fund.aspx

• To find your state legislator, please go to https://openstates.org/find_your_legislator/

As always, if you should have any questions, please do not hesitate to call me directly.

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