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Medical Malpractice Victims Demand Review of Insurance Companies

Center for Justice and Democracy Announces the Launch of New Patients Network

Medical malpractice victims today announced the launch of the Center for Justice and Democracy's Patients for Justice, a network of medical malpractice survivors working against so called "tort reform" measures that would limit compensation for damages awarded to future malpractice victims. CJ&D is a non-profit consumer protection group that works to defend the civil justice system. Patients for Justice is the groups network of malpractice victims speaking out on the issue. The group of survivors called upon the Illinois State Medical Insurance Exchange Mutual (ISMIE) to stop blaming the victims of malpractice for doctors' high insurance rates, and open their books and justify their sizeable rate increases.

"For too long, the voices of malpractice victims has been drowned out by the insurance companies," said Patrick Farrelly. "I am proud to be part of CJ&D's Patients for Justice in order to make sure that this year we are heard."

ISMIE, Illinois' largest insurance provider, has drastically raised malpractice insurance premiums, forcing doctors to pay high prices for malpractice insurance. ISMIE claims that rate increases are the result of out of control litigation, and proposes to cap damages to malpractice victims. However, states that have enacted caps have not seen lower or stabilizing insurance rates.

Despite claims that higher insurance costs are the result of medical malpractice patients receiving high awards for damages, the number of lawsuits in Illinois is declining, as are overall damage payouts.

ISMIE has steadfastly refused to release the insurance data that would allow reviewers to determine how their rates were set. At the beginning of February, ISMIE announced their support for a legislative proposal that includes devastating caps on damages to victims of malpractice as well as extreme penalties on release of the data that independent reviewers need in order to analyze rates.

“It is outrageous that ISMIE continues to blame patients like these for their skyrocketing malpractice rates,” said Amber Hard, Staff Director for the Center for Justice and Democracy. “To propose criminal penalties that support their continued avoidance of public scrutiny adds insult to injury.”

Rather than allowing legislators, instead of independent juries, to determine justice for victims of medical malpractice, Center for Justice and Democracy’s Patients for Justice is demanding that insurers disclose financial documents that reveal how and why they raise insurance rates. This information is public knowledge in many states and would allow legislators to make decisions about health care reform while armed with all the necessary information.

“It is unfair that large insurance companies are trying to punish people that have already suffered as a result of medical negligence” said Donna Harnett, a medical malpractice survivor and member of Patients for Justice. “These companies need to show doctors, the public, and legislators why they are raising there insurance rates rather than point their fingers at those of us who have suffered severe injuries or lost loved ones due to medical errors.”

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